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International Court of Justice

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Official Transcript of the International Military Tribunal in the Matter of the United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 26 June 1946, 1000-17000, Lord Justice Lawrence presiding.

THE PRESIDENT: The Tribunal will not sit on Thursday, tomorrow afternoon, in open session, but will sit in closed session. That is to say, we will sit tomorrow, Thursday, from 10:00 til 1:00 in open session, and we will sit in the afternoon in closed session.

On Saturday morning, the Tribunal will sit in open session from 10:00 til 1:00.

MAJOR GENERAL RAGINSKY: Mr. President, I am aware that yesterday when I submitted the document USSR 494, the necessary copies of this document were not submitted to the Tribunal. I am very sorry about this, and I would ask you to accept the necessary copies now which I am going to submit.

CONSTANTIN von NEURATH - Resumed

CROSS EXAMINATION - Continued

BY MAJOR GENERAL RAGINSKY:

Q Let us go back, defendant, to your statement of August, 1939. If I understood you correctly, you said here before the Tribunal that this statement was issued in connection with the military situation of the time; is that correct?

A With reference to the military situation, nothing was going on at the time, in as much as in the meantime no political tension had developed at all; therefore, it was not directly in connection with the military situation.

Q It did not depend on the military situation? Do you acknowledge that by this order which you issued, or, let us say, warning, you determined on a system of hostages?

A I did not quite understand that question.

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Q I am going to repeat this question. I am asking you, do you acknowledge that by means of this warning, or order, of August, 1939 -- this document is being submitted as evidence under No. USSR 490 -- that through this order you set system of hostages?

A I do not understand.

Q Was it correctly translated to you just now?

A I am afraid the translation did not come through on the last question, or rather the last sentence. I did not understand.

Q The document, I think is well known to you.

A Yes; but the last sentence of your question did not come through to me. I did no understand it.

Q I shall try to say it in such a way that you will understand it now. In this order of yours, in the penultimate paragraph, it is stated that the re sponsibility for all acts of sabotage will borne not only by individuals but by the entire Czechoslovakian population; this means not only those who are actually responsible for these acts of sabotage, but so to speak, a system of hostages is being set up, so that the people who are not actually guilty will also be punished. So with this order you inaugurated a massacre against the Czech population.

A. Not at all. It merely means that the moral responsibility for the possible deed should be put into the hands of the Czech people.

Q. For instance, in Lidice, was this not applied in practice, this order of yours, wasn't it put through? Was it only a question of the moral responsibility there? In this order you state the following: "Those wh will not fully understand the importance of these measures will be considered to be an enemy of the Reich". Were those enemies of the Reich who felt -- did they have only moral responsibility?

A. Yes, if someone didn't obey orders, then he would naturally be punished.

Q. That is exactly what I am trying to determine and that is why I put this question to you, that just by this order of August 1939, you set up the beginning of a massacre and you started punishing people who were not actually responsible for crimes?

A. Well, I don't know how you can come to that conclusion on the basis of this warning.

Q. We are going now to the deductions which we can make out of this. In the report of the Czechoslovakian government, which was submitted as evidence, USSR 60, which is a report on investigations of the crimes committed by your collaborators, all this documentary evidence you just deny then. I am not going to argue with you regarding this document, but I am going to read into the record some of the testimony by the witnesses, and I would like you to reply whether you corroborate this evidence or whether you deny it. I am going to read into the record an excerpt from the testimony of the former Minister of Finance, Josef Kalfus, of the 8th of November 1945.

MAJOR GENERAL RAGINSKY: The Tribunal will find these excerpts on Page 12 of the British text, Document USS R 60.



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Q (Continuing): Kalfus states: "All told, we may say that the economic system introduced thus by Neurath and after him by later German regimes, were nothing else than a systematic organized robbery. As to the occupation of decisive positions in the Czech industry and finance, it may be pointed out that together with Neurath a vast economic machinery was installed, which immediately occupied the chief positions in industry (Skoda Works, Brno Armament Works, Steel Works at Vitkovice) Important banks (Bohemian Discount Bank, Bohemian Union Bank, and Laender Bank), were occupied as well". Do you corroborate this evidence?

A. I talked about this matter in great detail yesterday, and I refer you to my statement I made yesterday. I have nothing to add.

Q. You don't corroborate this evidence. Very well.

A. Not in the least.

Q. The former President of Czechoslovakia, Richard Bienert, during the interrogation of the 8th November 1945, stated --

MAJOR GENERAL RAGINSKY: Mr. President, this excerpt is on page 13 of the English text of the document USSR 160.

Q. (Continuing): "When we got to know him more closely, we noticed that he was ruthless toward the Czechs, and that he would not be moved by any thoughts of the Czech people hurt in its national feelings. As Regional Prsident of Bohemia I know that is was Neurath who subjected the political administration in Bohemia and Moravia to German control, both the state administration and the local government as well... I remember also that Neurath caused the abolition of the Regional School Councils, and the appointment of German School Inspectors in their place. Neurath violated the order of Hitler issued on March 16 1939. He ordered the dissolution of the regional representative bodies; he caused that the Czech workers were being sent to the Reich from April 1939 onwards, in order to work for the war machine of the Reich; he ordered the closing down of the Czech universaties and of many Czech secondary and elementary schools;



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he abolished the Czech gymnastic units and associations, such as Sokol, Orel, FDTJ, ordered the confiscation of all the property of these gymnastic organizations; he abolished the organizations YMCA, YWCA and ordered the confiscation of their property; he abolished the Czech recreation homes and recreation camps for young workman and students, and ordered the confiscation of their property; he was guilty of persecution of Church Congregations as, for example, the Congregation of the Ursulines, which had an educational and humanitarian task. I know that all the property of these organizations was handed over for the use of the German institutions SS, SA, Wehrmacht, Hitlerjugend, RAD (Reichsarbeitsdienst). All that is a matter of common knowledge. At the outbreak of the war on September 1 1939, mass arrests of so-called hostages took place all over the Protectorate. The greater part of them were higher officials, university teachers, Army officers and well-to-do Czech citizens. The Gestapo carried out the arrests, but on the order of the Reich Protector. I myself was arrested on September 1 1939, as well. I was taken away into the prison at Kanrac, and interrogated in Petschek palace. General Jazek, on behalf of the Ministry of the Interior intervened for my release. I was then released. The consent to the release by the order of the Reich Protector arrived four hours later. That showsthat the whole action was directed by him." Will you still deny this testimony?

A. No, no. About all the matters which are listed here I spoke yesterday in great detail. I do not propse to repeat it all now. Apart from that, it seems peculiar to me that Mr. Bienert, of all people, who know perfectly well what I had ordered and what my relations were to the Gestapo, and so forth, that Mr. Bienert of all people should say things like that.

Q. Very well. Let's look at some other testimony. The former Prime Minister of the so-called Protectorate, Dr. Krejci, during the interrogations on the 8th of November 1945, states --

MAJOR GENERAL RAGINSKY: Mr. President, this excerpt can be found on page 17 of the English text of the document USSR 160.



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Q. (Continuing): "I know that the gymnastic associations have been disbanded and their property confiscated at the order of the Reich Protector, and their funds and equipment handed over to the used by German associations such as SS, SA, Hitler Youth and so on. On the 1st September 1939, when Poland was attacked by the German army, arresting took place on a large scale, especially arresting of army officers, intelligentsia and important political personalities. The arresting was made by the Gestapo, but it could not be done without the approval of the Reich Protector".

On the following page there is an excerpt: "As far as the Jewish problem was concerned, the government of the Protectorate was forced by the Reich Protector to an action against the Jews and when this pressure had no result, the Germans or the Reich Protector's office started the persecution of the Jews according to the laws in the Reich. The result was that tens of thousands of Jews were persecuted and lost their lives and property". Are you going to deny this testimony, too?

A. With reference to the order which you mentioned at the beginning, concerning the physical training schools, I shall have to tell you that that was a police measure which I had not ordered; and I go on to repeat, as I said yesterday, that the arrests at the beginning of the war were carried out by the Gestapo, but on the strength of a direct order from Berlin, without me even having heard about the matter. I didn't know about it until afterwards. Finally, with reference to the Jewish problem which is mentioned in the end, the statement which is contained in the indictment I think, namely, that I had attempted to get the government of Czechoslovakia to introduce anti-Jewish laws, is an incorrect statement. I myself, or rather my Secretary of State, Frank, talked to Dr. Krejci. I myself have never talked to him. I only talked to Mr. Hacha afterwards. When there was an attempt to introduce racial laws with reference to the Czechs, Mr. Hacha objected to this and I said that I would take responsibility for it, that he need not do so. The introduction of the anti-Jewish laws was carried out by a decree of mine, yes,

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because as early as the beginning of April 1939, I had received orders that I should introduce the anti-Jewish laws in the Protectorate, which was now a part of the Reich. I delayed this step until July by means of all sorts of inquiries in Berlin, so as to give time to the Jews to prepare themselves in some way or other. That is the true picture.

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Q Tell me, do you know Dr. Havelka?

A I know Mr. Havelka, yes.

Q He knew exactly about your conversations with Hacha?

A How much he knew about that, I don't know. He came to see me on one or two occasions. He was transport minister, I think.

Q Yes, that is quite correct. He was the Administrator of Transport, but before that, he was thehead of the chancellery of Hacha's office.

Habelka, during his interrogation on the 9th of November last year, gave the following testimony, which can be found on pages 18 and 19 of the English text of Exhibit USSR No. 60. I amquoting an excerpt.

"He" -- Neurath -- "was not interested in the Czech nation and interventions of cabinet members and Dr. Hacha pressing Czech demands were on the whole without any result. Neurath was responsible for all actions which were carried out in the territory of Bohemia and Moravia and to which his attention was being drawn by the members of the Government and by Dr. Hacha.

"There were especially the following actions:

"Arresting of Czechoslovak officers, intelligentsia, members of the Czechoslovak Legion of the First World War and politicians at the time of the attack on Poland by the German army.

"There were about six to eight thousand persons arrested. They were hostages. The Germans themselves called them 'prisoners d'honneur.' The majority of those hostages was never interrogated and all steps taken at the office of the Reich Protector in favor of these unfortunate men without any result.

"Neurath, as the only representative of the Reich Government in the territory of the Protectorate of Bohemia and Moravia was responsible for the execution of nine students on November 17, 1939."

THE PRESIDENT: General Raginsky, wouldn't it be better and perhaps fairer to the defendant to ask him one question at a time? You are reading large passages of these documents which contain many questions. Perhaps you could take these two paragraphs you read now about the arrest of officers and ask him whether he says those are true or untrue, and then go on to the other paragraphs you want to. It is very difficult for him to answer a great number of questions at one time.

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GENERAL RAGINSKY: Mr. President, he has these documents before him, but I will take into consideration what you have just told me, and I think I will speak about the students separately.

BY GENERAL RAGINSKY:

Q Do you corroborate this part of the evidence which I have just read into the record regarding thehostages? Do you corroborate this evidence?

A About the arrest of the members of the so-called Vlajka, at the beginning of September, 1939, I have spoken earlier, and I spoke in detail about thatyesterday. I will repeat it for you.

I said that these arrests were carried out by the Gestapo without my knowledge. Havelka'sstatement, that no steps had been taken in the interest of these people is untrue. He ought to know that I continuously fought for these people and that a large number of them were released upon my efforts.

Q Very well, let's go over to another question. Here, before this Tribunal, there has already been introduced several times a certain document, under No. USSR-223.

GENERAL RAGINSKY: This is the diary of Frank, Mr. President. I have in view Karl Hermann Frank, who was sentenced to die for his crimes. I beg your pardon, it is the defendant Frank that I am speaking about. This excerpt has already been quoted here, but I should like to put a question to the defendant on it. I shall read it into the record:

"During an interview with a correspondent of the Voelkischer Beobachter in 1942, the defendant Frank stated that in Prague, for instance, there were put out some red placards that many Czechs were shot, and that if an order were issued that such placards be put up regarding every seven Poles who were shot, then there wouldn't be enough timber to manufacture enough paper for such placards."

BY GENERAL RAGINSKY:

Q Please tell me if it is true that such red placards were put up in Prague regarding the people who were shot?

A I mentioned thatyesterday, and I also mentioned that this was the poster where my signature was misused, and that I hadn't seen it. That is that red poster.

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Q Well, if you haven't seen these posters, will you please look at one of them. We are going to show it to you right now.

A I know it very well.

THE PRESIDENT: General Raginsky, he didn't say he hadn't seen it. He said it was put up without his knowledge.

GENERAL RAGINSKY: Mr. President, I am going to come back to this, but I should like to determine that these were the red posters which were mentioned by Frank in his diary, andI should like to submit this poster under No. USSR-489.

I should like to readit into the record; it is very short and it won't take much time. The text is as follows:

"In spite of repeated serious warnings, a number of Czech intellectuals, in collaboration with arrogant circles abroad, are trying to upset peace and order by committing major or minor acts of resistance. It could be determined that the ringleaders of these resistance acts are especially to be found in the Czech high schools. Since, on the 28th of October and 15th of November, these elements have been mishandling individual Germans, the Czech high schools were closed for the duration of three years, nine of the perpetrators were shot, and a number of the accomplices arrested."

It was signed by Baron von Neurath on the 17th of November, 1939.

BY GENERAL RAGINSKY:

Q You state here that you never signed such a document, or let's call it a warning.

A Yes. I explained yesterday or the day before how this originated, and that it was compiled when I was absent.

Q Well, we are not going torepeat what we have already stated.

I am going to read into the record a certain statement by Karl Hermann Frank of the 26th of November which can be found on pages 46 and 47 of the Russian text and the English text. Karl Hermann Frank, giving evidence regarding this poster, the text of which I have just read into the record, stated:

"This document was dated the 17th of November 1939 and was signed by von Neurath who did not speak against shootings of the students."

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DR. VON LUEDINGHAUSEN: Mr. President, may I draw your attention to something connected with this document. The document is neither dated nor is it signed, at least not the copy I have. It does not make it at all clear from whom the document originates, and I should like to take this opportunity to protest against the reading of this document.

THE PRESIDENT: Dr. von Luedinghausen, isn't there a certificate about the document?

DR. VON LUEDINGHAUSEN: Not my copy.

THE PRESIDENT: Well--

GENERAL RAGINSKY: Mr. President, will you permit me to explain this misunderstanding. Dr. Luedinghausen has the full text of the USSR document. The English text was also submitted to the Tribunal, and the certificate regarding this reportis included therein. There was also the interrogation. We shall only read the document which the defense counsel has.

Now, just to facilitate the proceedings, we have submitted another document to the defense counsel, and it would be very easy to determine that there is a certificate regarding the authenticity of these statement which is dated the 17th of November 1939.

DR. VON LUEDINGHAUSEN: May I only say this. When I received the indictment from Colonel Ecer of the Czech delegation, the document had no additions, didnot have an appendix except the actual text. I then made another attempt to get them, because such appendices had been referred to, whereupon I received only an enclosure which was headed "No. 2". I received the other in the same condition as the one which I have here.

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THE PRESIDENT: Dr. von Luedinghausen, will you wait a minute? Will you kindly tell us what document it is you are referring to?

DR. VON LUEDINGHAUSEN: It is USSR 60.

THE PRESIDENT: USSR 60 -- well, that is the Czech report which is about this thick (indicating) in German and then there are references contained therein, references to certain enclosures and these enclosures, I repeat, were not made available to me and I made efforts to get them but I only received one, which is not identical with this document and which I received much later and in the same condition as that which I hold in my hand now, that is to say without a heading, without a signature and without a date and most certainly without any certificate as to when, where and by whom this supposed statement of Frank's was taken down.

THE PRESIDENT: Let us hear what General Raginsky has got to say about it.

As I understand General Raginsky, he says there is a certificate identifying that document and what is being supplied to us is merely a copy, which may not have the date and may not have the certificate on it, but which is the same as the document which is certified.

Is that what you said, General Raginsky?

GENERAL RAGINSKY: Yes.

THE PRESIDENT: Could you not show Dr. von Leudinghausen the certificate and the document which is certified?

GENERAL RAGINSKY: It is quite correct, Mr. President. This certificate can be found on page 44 of the Russian text in the appendix to document USSR 60 and it is signed by Ecer and Colonel General Novack. This certificate was submitted, in due course, by us to the Tribunal.

THE PRESIDENT: Is it necessary to take up the time of the Tribunal about this particular document? It seems to me we are wasting a lot of time.

DR. VON LUEDINGHAUSEN: After all, it is important. I cannot find out whether this is a true copy. I am entitled to that, it is my privilege, my right.

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THE PRESIDENT: I was asking General Raginsky whether he wants to persist in the use of the document. Is it worth while? I do not know what the document is or what it says.

GENERAL RAGINSKY: Mr. President, this document is extremely important and I think it should be submitted because it has already been submitted to the Tribunal a few months ago. This is document USSR 60, which was accepted by the Tribunal as evidence several months ago and I really do not understand the statements by Dr. von Luedinghausen.

THE PRESIDENT: Why do you not show Dr. von Luedinghausen that there is a certificate which applies to the document which you put in his hand?

GENERAL RAGINSKY: Yes, certainly Mr. President. I am holding in my hand the Russian text. I can show him the Russian text so that he could be convinced. The original document has been submitted to the Tribunal and is in the possession of the Tribunal.

THE PRESIDENT: Well, is there not a German translation of the certificate and does not the certificate identify the document? Is there a German translation of the certificate?

GENERAL RAGINSKY: Just at the moment I do not have it but during the intermission I shall be glad to produce the German text of the certificate.

THE PRESIDENT: Dr. von Luedinghausen, the Tribunal is told that this document was put in before and the certificate of General Ecer was put in at the same time, certifying that this document is a part of the Czech report. In those circumstances, the Tribunal will allow the document to be used.

DR. VON LUEDINGHAUSEN: Mr. President, then I have another objection to the use of this document.

As is known, the defense had the right that if any interrogation records or affidavits from witnesses are presented, they are entitled to call these witnesses for the purpose of examining them. The former Secretary of State, Frank, who has made this statement, is, however, no longer alive as is known and I therefore object for

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that reason too, against the use of this document.

THE PRESIDENT: Dr. von Luedinghausen, this document was offered and accepted in evidence during the lifetime of this man, K. H. Frank. That is one reason for accepting it.

The document is admissible under Article 21 of the Charter and was admitted under that Article and there is no such rule as you have stated, that the defense are entitled to cross-examine every person who makes an affidavit. It is a matter entirely within the discretion of the Tribunal and therefore that objection is rejected

GENERAL RAGINSKY: Mr. President, I do not want to hold you an longer on this matter but I wanted to show that this was an unnecessary delay as Dr. von Luedinghausen used the document himself to introduce some extracts from the testimony of Frank.

I should like to read into the record some statements made by Frank. This document, I repeat, is in connection with the warning which we just demonstrated to this Tribunal, dated 17 November, 193 and was signed by von Neurath, who did not raise his voice either against the shooting of the students nor as to those students who were to be sent to concentration camps and he did not really reques any changes in this legislation.

BY GENERAL RAGINSKY:

Q Did you hear the testimony, defendant?

A Yes, here, I read it.

Q Do you deny this?

A But most definitely, most emphatically. I did not have any possibility whatever to do so because I was not in Prague and therefore I could neither have knowledge of nor could I have signed it or passed on it.

Q Very well. You still insist in stating that the police never informed you regarding the arrests which were made and other police measures which were taken? Do you state that firmly?

A I did not say that they never informed me but I said that they informed me afterwards. My information usually came from Czech sources.

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Q Was there not a state of affairs existing wherein the police regularly reported to you regarding the important events which took place.

A Not at all, particularly they never told me about their plans. Possibly they might have told me afterwards if I had from Czech sources what news there was and then I would make inquiries from the police.

Q Very well. I am going to read an extract from the testimony of Karl Hermann Frank, dated 7 March, 1946. This testimony was submitted by me to the Tribunal yesterday and it was partially read by me already.

Frank states:

"The Reich Protector, von Neurath, regularly received reports on the most important events in the Protectorate which had some bearing to the Security Police from me, as well as from the State Secretary and from the head of the Security Police. For example, von Neurath received information about a certain demonstration in Sudetenland in November 1939 both from me and from the head of the Security Police. This definite case dealt with Hitler's direct orders demanding the shooting of all the ringleaders, insofar as this concerned the execution of students. The number of ringleader was to be fixed by the Prague Gestapo and the Reich Protector was to be informed of this. In this definite case the name of the ringleaders was left to the State Police, and was subject to the approval of the Reich Protector. Reich Protector von Neurath signed the official dispatch informing of the execution of these students, thereby approving this action.

"If this had not met with his approval and had he wished to revise it as for instance, making it less severe, which he had the right to do, then I should have had to adhere to his decision."

Now, do you wish to deny these statements?

A I cannot imagine how I can tell you this since I was not in Prague at all.

Apart from that I do not know under what sort of pressure Frank

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might have made these statements you have read. It does not give the date, but I think you just said it was on 7 April when he made this statement. That is a few days before his execution, is it not

GENERAL RAGINSKY: I should like the Tribunal to note that the defendant consciously perverts the fact when he says that this statement was made on April 7. It was made on March 7, not April 7

BY GENERAL RAGINSKY:

Q You can look at the document yourself and see the date. Well, let us leave this question.

A All right, then, 7 March instead of 7 April. I said 7 April because I did not see the date at the top. But as I have already told you three times, I could not know about it because I was not there.

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Q. You are not very clear as to the number of students who were shot. I am afraid that you were not very exact on the number. I am afraid that your memory did not serve you rightly.

A. I can not remember what I said yesterday, but I am sure that I did not make a mistake, unless there were one or two that I did not know about.

Q. I should like to remind you that in reply to a question by Sir David, who submitted document 3857-PS, in regard to the closing of the higher institutions of learning --

THE PRESIDENT: Is it necessary to go over Sir David's cross-examination again? Surely we have said that we do not want to go over the same subject twice.

MAJOR GENERAL RAGINSKY: Mr. President, I do not want to go back to the very same thing, and I do not want to repeat the questions put by Sir David. I only wanted to establish the truth. The defendant stated yesterday that in the document which was submitted by Sir David there was a mistake -- that in Prague there existed only two institutions of higher learning and that there could not have been arrested 1,2000 students, and that consequently it was incorrect. But the question was not merely about the closing of two Prague universities, but, on the basis of the order 17 November 1939, there were closed the Czech universities in Prague, the Czech universities in Bruenn, the Czech Higher Technical School in Bruenn.

THE PRESIDENT: We heard all this yesterday, and we do not want to hear it again. We heard all about the closing of the university in Prague.

MAJOR GENERAL RAGINSKY: Very well, Mr. President. I am not going to delay you further on that, but I just wanted to state that not two universteis were closed, but ten higher institutions of learning.

I have just a few questions left which I should like to put to the defendant.

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BY MAJOR GENERAL RAGINSKY:

Q. You received special awards from Hitler, as is evident from the documents, and as you yourself stated. For instance, you received on 22 September 1942, the special award, the Iron Cross for Special Service.

THE PRESIDENT: Surely we went into this yesterday, did we not, in Sir David's cross-examination, or in the examination in chief; I forget which. I think it was the examination in chief. All these decorations which were given the defendant.

MAJOR GENERAL RAGINSKY: Mr. President, I do not want to revert to these orders and awards, but I should like to ask the defendant, for what special services did you receive the Iron Cross?

THE PRESIDENT: All right, ask him that.

THE WITNESS: Unfortunately, I cannot tell you. I cannot tell you what sort of achievements I had. The award of this order of merit was carried out generally to all higher officials who were active at the time.

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BY MAJOR GENERAL RAGINSKY:

Q Very well, I am not going to insist that you reply. I just wanted to state here that you receive this award in 1942 after the mass terror was introduced into the Protectorate.

A I can not tell you when I am supposed to have carried out mass terror.

Q Very well, if you do not understand, we are not going to argue about this question.

In February 1943, in connection with your anniversary or jubilee, various articles about you were published in many newspapers. I am not going to submit to the Tribunal all these papers or quote these articles, but I should like to read a few excerpts from the newspaper "Fraenkischer Kourier" of 2 February 1943. We shall submit to you one of the copies of this so that you can follow me as I read this document into the record.

MAJOR GENERAL RAGINSKY: This newspaper is being submitted to the Tribunal under number USSR 495.

BY MAJOR GENERAL RAGINSKY:

Q In connection with your anniversary, it was stated:

"The most important events in the field of foreign policy after Hitler's coming to power in which Baron von Neurath played a most important role as Reich Foreign Minister and with which his name will always be connected are: Germany's leaving the Geneva Disarmament Conference on 14 October 1933 and Germany's withdrawal from the League of Nations one week after the re-uniting of the Saar to Germany, the declaration of the military sovereignty of the Reich, and the denouncing of the Locarno Pact immediately after the conclusion of the Franco-Sovier Military Pact.

"Reich Minister and Reich Protector Baron von Neurath was repeatedly decorated by the Fuehrer for outstanding services to the German nation and Reich. Among other awards he was decorated with the Golden Party Badge of Honor, received the rank of SS-Gruppenfuehrer, was Cavalier of the Adler Order German and the Treudienst Gold Badge of Honor, which marked 40 years of diplomatic service.

"In appreciation of his outstanding services in the field of military effort in the post of Reich Protector for Bohemia and Moravia, the Fuehrer

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decorated him with the Military Cross, First Class."

Are the facts correctly stated in this article?

A If I had to investigate the correctness of every article written by some journalist or other, I would have been ex traordinarily busy. These statements are the opinion of a journalist and nothing more.

THE PRESIDENT: That was not the question. The question was whether they were correctly stated, as a matter of fact. You can answer that.

THE WITNESS: Yes-No.

THE PRESIDENT: Which do you mean-Yes or No?

THE WITNESS: The decorations are correctly stated. Apart from that, it is not correct.

MAJOR GENERAL RAGINSKY: I have no further questions to put.

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THE PRESIDENT: Dr. Luedinghausen, do you wish to re-examine?

DR. VON LUEDINGHAUSEN (Counsel for defendant von Neurath):

Mr. President, yesterday afternoon, I was under the impression and felt that Baron von Neurath was very tired and very strained through the previous examination and that he was no longer in a position to do justice fully to the questions which were put to him. This, after all, is not surprising, if you consider that Herr von Neurath is in his 74th year of life and that, apart from that, he is suffering from a fairly serious heart disease. I feel obliged, therefore, to refer back to various points of the cross examination of yesterday and put a few questions to him.

RE-DIRECT EXAMINATION

BY DR. VON LUEDINGHAUSEN:

Q Mr. von Neurath, you have stated that because of the excesses of the SA and other radical circles in 1933 and later, you often protested to Hitler. What was the reason for that? Why did you go to Hitler direct, and why did you not raise your objections during the meetings of the Cabinet, which were still taking place during that period?

A I had had the experience previously that Hitler would not suffer contradiction and that he was not accessible to any objections if these were raised in a larger circle of persons, because he would then always develop the complex that he was facing some sort of opposition against which he had to defend himself. It was different, however, when you were alone with him. Then, at least during the earlier years, he was accessible to reasonable argument, and he would allow many qualifications of radical measures to be achieved.

Apart from that, I want to tell you, particularly after I have seen the affidavit of Geist where he talks about excesses, that there was a meeting of the Cabinet, during which the repitition of such affairs was strongly protested by various ministers, including non-Nazi ministers. Hitler was most receptive to these objections, and he stated that such excesses would not be allowed to recur. Shortly afterwards he made a speech during which he gave the corresponding assurances publicly. From then until June 1934 no furtheroutrages or excesses took place.

Q Defendant, in April 1933 there was the well-known anti-Jewish boycott, which lasted twenty-four hours.

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A Yes, that was done by request of Dr. Goebbels, but actual measures of force and outrage did not take place on that occasion. It was confined merely to boycotting.

Incidentally, that there were no further arguments in that connection was the result of intervention jointly by von Papen and myself to Hitler and Hindenburg. A perfectly correct description of this episode is contained, as I remember, in an article of the time in the American periodical Time of April 1933, which is contained in my document book.

DR. VON LUEDINGHAUSEN: Mr. President, it was presented in my document book Number 1 under Number 9.

BY DR. VON LUEDINGHAUSEN:

Q In connection with the events that occurred at that time, arrests and so on and so forth, Sir David yesterday referred to the arrest of the well-known author von Ossietski. Can you remember that this von Ossietski had previously been sentenced by a German court--before the seizure of power--for a lengthy term of imprisonment?

A Yes, I remembered that afterwards. I do remember that Herr von Ossietski had been sentenced before the seizure of power. I can not remember under which government that was done, but he was sentenced by a Reich court for treason. He had received a lengthy penitentiary sentence, but he had not yet served that sentence, and that was the reason why he was again arrested.

Q I should like to put one question to you with reference to the report of letter submitted by the Prosecution yesterday which was compiled by Ministerial Director Koepke on 31 May 1934, which is GB 668. Did you consider that in this report of Koepke's and the information contained therein there was proof for the inclusion of the Foreign Office in the subversive activities of the Austrian Nazis?

A No, not at all. This was a report which Ministerial Director Koepke made to me about a visit by Mr. Waechter, whom he described as a responsible Austrian individual. This Mr. Waechter was tryihg to establish contact with the Foreign Office and with Hitler to draw attention to the dangers arising from the increasing radicalism of the Austrian Nazis. The head of the Political Department, Koepke, identifies himself with Waechter

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regarding the apprehensions , and he had agreed that in that respect he would furnish a report.

I do not think that there is any reason to doubt that my attitude was different from Koepke's. In order to draw attention of Hitler to the matter, I passed this report on to Hitler.

Q The Prosecution--or rather, Sir David--referred to reports on the treatment of the Czech problem by you and Frank yesterday. This is document 3859-PS. You had submitted it to the Chief of the Reich Chancellory to prepare your oral report to Hitler. Was the report written by Frank identical to the matter raised in the Frederici document of 15 October?

A Yes, apparently these reports are identical.

Q Now, during your examination you have spoken about the Frederici document. That memorandum you said, was based on plans of the SS, Party circles, and the Gauleiter of the Lower Danube district, regarding a deportation of Czechs to eastern territories. You went on to say that in order to stop these plans, which you described as nonsensical, Frank had written this memorandum in which a less radical solution was recommended, which was, in fact, approved by Hitler later on up to a certain point, and that in reality nothing happened, which was what you intended, and that the idea of assimilation had in practice been buried. Is that right?

A Yes, that is true. This entire affair and the origin of the memorandum is very difficult to explain. It can only be understood from the entire interior political development. The efforts of the Gauleiter of the surrounding districts were towards partitioning the Protectorate, and had advanced rather far. They had all submitted memorand to Hitler. All these memorana were proposing the radical solution of the whole problem. That meant, in other words, that it had to be feared that Hitler would agree to the wishes of the Gauleiter.

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In order to stop him, I had to submit proposals about which I myself had said that they were impracticable. I did it, first of all, with the thought that later on I could have them buried.

That is the only possible, clear explanation of the creation of these memoranda. I myself did not write the memoranda; that was done by my office, but, I must say, on the strength of directives which I submitted.

This is something which I want to emphasize most clearly. It was merely a tactical maneuver to get at Hitler, because I was afraid that he would follow the radical su gestions made by Himmler. What I did in fact achieve was that Hitler gave a strict order--which is what I had demanded--to the effect that all these plans were no longer to be discussed, but that only the so-called assimilation remained in operation, which could only be carried out over a period of many years. In fact, nothing whatever happened, and that was exactly what I was aiming at.

Q A decree was submitted by the prosecution yesterday, which was issued to the German authorities in the Protectorate, regarding the treatment to be given to the German-Czech problem publicly. That is document 3862 , dated the 27th of June, 1941.

Is that in any way connected with these memoranda or the discussion you had with Hitler about it?

A Yes, it is most closely interconnected, and I think I said so yesterday, because in the following year agitation suddenly began again towards such Germanization and partitioning of the Protectorate. I objected to that and, once the question was decided, I prohibited it from being reopened.

Q A document was submitted yesterday--USSR 487--of the Chief of the Security Police, addressed to Secretary of State Frank, dated 21 July 1943, that is to say, after you had resigned. From that document the prosecution are attempting to draw the conclusion that you, following a decree dated the 5th of May

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1939, had considered the leader of the SA and Security Police in Prague to be your political expert and had appointed him in this manner.

In what way did he actually act in that respect? Was he active at all?

A No, he was not; that is just it. The reminding letter, dated July 1943, will show you that he never became active.

MAJOR GENERAL RAGINSKY: Mr. President, I should like to state here that the question was incorrectly put. This document is not dated in the year 1943 or 1942 , but it is dated the 21st of July, 1939.

BY DR. VON LUEDINGHAUSEN:

Q What measures followed documents 3851-PS and 3858-PS, which were introduced yesterday by the prosecution, and which were proposals submitted by various departments and heads of departments of your administration regarding manpower and employment of the students who became unemployed through the closing down of the Czech universities?

A As I told you yesterday, here we were concerned with a proposal from an official which never even reached me, as my Undersecretary of State had turned it down before it got to me. Just how I could possibly be held responsible for the contents of a draft submitted by a small official I cannot understand.

Q I should like to put one more question regarding the German-Austrian agreement dated the 11th of July, 1936. As is mentioned in a previously submitted report from Dr. Rainer, which the prosecution have submitted and which was addressed to Buerckel--I refer to document PS-812--is it correct that Hitler, immediately after the signing of that agreement, had personally stated to Dr. Rainer and the Austrian Nazi Leader Globocnik that this agreement of the 11th of July, 1936, was signed with perfectly honest and upright intentions by him,

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that the Austrian National Socialists too should, under all circumstances, adhere strictly to this agreement, and that they were to conduct themselves accordingly during their contact with the Austrian Government?

A Yes, that is correct. As I think I said to you yesterday, I believe I can also remember that Rainer actually confirmed it here when he was a witness.

THE PRESIDENT: Dr. von Luedinghausen.

DR. VON LUEDINGHAUSEN: One last question, Mr. President.

THE PRESIDENT: He answered these questions perfectly clearly, according to his view, yesterday.

DR. VON LUEDINGHAUSEN: Yes. I am actually through, Mr. President. I have only one more question in conclusion of the entire examination of my client.

BY DR. VON LUEDINGHAUSEN:

Q The prosecution, Sir David, mentioned this yesterday again and again. They accused you of the fact that although you, in your own words, did not agree with the Nazi regime and its methods, and although you considered many of the things that were done despicable, in spite of all this you did not resign, but you continued in the government. Will you please explain that to us once more?

A Right at the beginning I mentioned that I had given my promise to Hindenburg to enter into the government and to remain there as long as I possibly could, and that I would attempt to steer a peaceful and moderate course for the German Government and to save Germany from any conflagration. That was my order and my task, and nothing else. It wasn't only this promise of mine to Hindenburg, it was also my duty, and because of my feeling of responsibility towards the German Nation, that I should save the German Nation from a war as long as possible.

That was the reason why I remained at my post, and that was the cause of my disregarding any personal wishes of my own, which were certainly quite different.

Unfortunately, my power and my influence as Foreign Minister did not reach far enough for me to prevent disastrous and immoral actions in any other spheres, for instance, in internal politics, although I did try in many cases, and last, but not least, the Jewish question.

I considered that it was my foremost duty and my task to stand by my post, and that I should not resign even if, in other spheres where I had no influence, matters occurred which hurt me deeply and hurt deeply my opinion.

Many people may have a different idea, or a different conception, or a different attitude than I. I have experienced similar attacks when, in 1919, after the first revolution, I entered the Social Democrat Cabinet and placed myself at their disposal. There too the most serious attacks were written against me.

Q You yourself have fought inside you, you have often told me.

A Yes, of course I have. It isn't easy to belong to a government whose tendencies you do not agree with, and for which one then finds himself held responsible later on.

DR. VON LUEDINGHAUSEN: Mr. President, with that I have completed my reexamination. If I may make a suggestion, perhaps we could adjourn now and I could then commence to examine my witnesses.

THE PRESIDENT: The Tribunal will now adjourn.

(A recess was taken.)



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THE PRESIDENT: Dr. Horn, you have some questions to ask?

DR. HORN: Mr. President, I ask permission for my client to be absent from the session this afternoon and tomorrow, because I have important questions to discuss with him.

THE PRESIDENT: The defendant von Ribbentrop?

DR. HORN: Von Ribbentrop, yes.

THE PRESIDENT: Yes, certainly.

DR. HORN: Thank you.

DR. THOMA: (Counsel for the defendant Rosenberg): Mr. President, yesterday afternoon General Rudenko asked whether Rosenberg interfered in Neurath's foreign policy. The interpreter just told me that she translated it wrongly. They translated it "whether Ribbentrop interfered in Neurath's policy". This question has not been translated yet; therefore, I ask permission to ask Neurath whether Rosenberg interfered in Neurath's foreign policy.

THE WITNESS: No, in no way. I never talked to Rosenberg about politics.

DR. THOMA: Then I ask that the record be corrected correspondingly. It should not say "whether Ribbentrop interfered in Neurath's policies", but "whether Rosenberg interfered in Neurath's policies".

THE PRESIDENT: The record will be corrected.

BY THE TRIBUNAL (Mr. Justice Biddle):

Q. I want to ask you just a very few questions. You will remember that the Baroness von Ritter said that after the 5th of November 1937, you recognized -- I want to read it exactly: "When Mr. von Neurath had to recognize for the first time from Hitler's statement on November 5 1937, that the latter wanted to achieve his political aims by using force toward neighboring states, this shook him so severely mentally that he suffered several severe heart attacks. That is a correct description is it not, of what you then recognized?

A. (Nods head)



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Q. Now, you stated that you spoke immediately after that meeting to General Beck and General von Fritsch. Do you remember?

A. Yes.

Q. And I think you said to Sir David that you did not speak to the defendant Goering. What I am asking you now is whether you spoke of what Hitler had said to anyone else during the next two or three months. Did you speak to anyone in the Foreign Office?

A. I spoke to my State Secretary.

Q. And with whom else from the Foreign Office?

A. No one. The condition had been laid down by Hitler that silence should be preserved about the whole meeting; and for that reason I did not speak with my assistants about it. They knew nothing of it. They had learned nothing of it from the military men.

Q. Did you speak to the defendant Papen when you saw him next?

A. No. I believe I did not see him at all at that time.

Q. And did you discuss it with anybody else before your resignation?

A. No.

Q. Now, I have only one other question. You recognized, did you not, that Himmler would use methods which you would not approve of; is that right?

A. Yes, but only gradually, not from the beginning.

Q. That is just what I wanted to know. When did you first realize that? When did you first begin, just as well as you could tell? About when did you realize what sort of man Himmler was?

A. That was very difficult to realize, because Himmler was like Janus; he had two faces. The real opinion was not easy to see.

Q. I am not asking you what he was like. If you would just try to remember, you certainly realized that at some time. Did you know it in 1937? You knew in 1937 or 1938? Certainly in 1938, did you not?



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A In 1938, but it is hard at the moment to give a date.

Q I do not want a specific date. My point is that you knew it before you went to the protectorate; you knew what Himmler was before you went to the protectorate, of course? There is no question about that, is there?

A Yes, that is right.

THE TRIBUNAL (MR. JUSTICE BIDDLE): That is all.

BY THE TRIBUNAL (GENERAL NIKITCHENKO):

Q Defendant, will you tell us please, did you ever express yourself openly against the policy of the Hitlerite Government?

A The translation did not come through.

Q In your explanation, you stated that you were not in agreement with the policy of Hitler's Government, either on separate questions or taken as a whole, as well. Is that true?

A Yes.

Q Did you ever express yourself openly with a statement of your disagreement with Hitler's policy?

A I did so more than once.

Q In what manner was it, then? I am asking you about your public statements, either in the press or while addressing any meeting?

A No. It was no longer possible to have it appear in the press, or to hold a meeting. It was out of the question. I could only speak to Hitler personally, or, at the beginning, in the cabinet, in protest against this policy. There was no freedom of the press any longer, any more than in Russia. No meeting was possible.

Q I am not asking you about Russia; I am asking you about your expressing your views. In other words, you never expressed them. And in that way, nobody in Germany could know, or did know, about the fact that you were not in agreement with the policy on the part of Hitler's government?

A I always expressed myself quite unmistakeably about it, but not by articles and not in meetings. Otherwise, I always expressed it clearly.

Q Yes, but only in your tête-à-tête with Hitler, only per-

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sonally to Hitler. You mentioned it only to Hitler personally?

A No; I said it to everyone who would listen, but not at public meetings, in speeches, or in articles. I was not able to.

Q And you remained within the government? You were a member of the government in spite of the fact that you were not in agreement with the government's policy; is that so?

A Precisely for that reason.

Q In order to counteract his policy?

A Yes.

Q Do you know the results of such counteracting?

A I did not understand.

Q What were the results of your counteracting Hitler's government's policy?

A I am not able to give the details on that.

Q In particular, as to the question of aggression, you were against the joining of Germany and Austria?

A Yes.

Q The German government joined Austria to Germany; is that so?

A I believe it has been clearly expressed here that at the last moment Hitler did that.

Q You were against the seizing of Czechoslovakia?

A I was no longer a member of the government at that time.

Q But as a statesman, whose opinion should have been considered, as mentioned, you, of course, expressed your opinion against it, did you not?

A Always.

Q You were against the attack on Poland?

A I repeat, I was not a member of the government. I learned of it only at the last moment.

Q Yes, that is known.

A Yes, indeed. I wanted it just the opposite; I wanted cooperation with the Soviet Union.

Q And still Germany attacked the Soviet Union?

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A Yes.

Q Judging from your explanation, Hitler must have known about your political opposition then and your disagreement with his policy; that is correct, is it not?

A He knew that very well. I resigned in 1938 for that reason.

Q Yes. And you know how Hitler made short work of his political opposition?

A In the Reich, yes.

Q And so far as you are concerned, in spite of the fact that you considered yourself as being in opposition, nothing happened; that is true, isn't it?

A I did not understand.

Q So far as you were concerned, in spite of the fact that you considered yourself to be a member of the opposition, nothing of the kind happened?

A No, but I always expected it.

Q And couldn't you tell us whether Sir Neville Henderson, in his book, "The Failure of a Mission", expressed the facts concerning you personally correctly or otherwise? Do you consider that Sir Neville Henderson expressed the facts correctly concerning you personally; does he express them correctly?

A I must admit frankly, I read this book by Sir Neville Henderson once three or four years ago. I can't remember what he said about me. I heard some excerpts from it here but I can't say what he writes about me.

Q But you claim that you are familiar enough with the excerpts presented by your defense counsel in his document book?

A Yes.

Q Here, now, for instance, is what is expressed in his excerpts; so far as you are concerned, is it correctornot?

A I assume so, yes.

Q And is it quite correct that he writes in reference to your membership in the Party? He writes that "Baron von Neurath himself remained in the regime of Hindenburg, and he was not a member of the Nazi Party."

A I believe I repeatedly said so he in last few days.

Q And further on he informs us thatt "he (Neurath) became a member of the Party later."

A I also explained how that happened. In 1937 I receiveda Golden Party Insignia.

Q Yes, we heard it before but is it ture or not that you became a member of the Nazi Party later, as Sir Neville Hunderson states?

A No.

Q So this particular part is not correct, then?

A I received the Golden Party Insignia with Hitler's statement that



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that involved no obligations towards the Party.

Q We heard it in such a way that in Sir Neville Henderson's statements, nothing is true as far as your person is concerned?

A I said I became a member. I can't remember what Sir Neville Henderson wrote about my person.

Q And the last question I have, that is in regard to your memorandum. I didn't quite understand your explanation which was given by you to Sir Neville Henderson and later to your own defense counsel. Now, in forwarding Frank's memorandum, in the letter addressed to Lammers, you wrote that you considered this memorandum absolutely correct, Is that true?

A Yes, thatis true. I would like to give the reasons.

Q You already explained thereasons before. I just wanted to establish the fact that you really wrote this.

A The reason why I wrote this to Lammers, I did not tell here. The reason why I wrote to Lammers to this effect, was that he was the one who submitted these memoranda to the Fuehrer, and I, and then I had to write to the same effect.

BY THE PRESIDENT:

Q There are two subjects Iwant to ask you about and the first relates to the document letter that you wrote on the 31st of August 1940. That is the letter which General Nikitchenko has just referred to; you remember that?

A Yes.

Q And you remember that you said in that letter that you fully agreed with the memorandum which your Secretary of State Frank had drawn up independently of you. He said that "Germanization provides for the changing of the nationality of racially suitable Czechs; and secondly, the expulsion of racially unassimilable Czechs and of the intelligentsia who are enemies of the Reich or special treatment for these and all destructive elements." My question is: What did you understand by "special treatment"?

A As far as I remember this expression at all at the time, I had no idea of the term "special treatment" that has developed here during the trial. As to this attitude of Frank represented in the report, I did not agree with it at all. I only had the intention of frustrating this whole



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affair, of sidetracking it. The content of these reports was only intended in Hitler's language, or in the language of Himmler and others to present this to Hitler to dissuade him from it.

Q Wasn't it misleading to write to Herr Lammers with the view that it should be put forward to Hitler, saying that you fully agreed with the memorandum with which you did not agree?

A Mr. President, as things were, I could not write to Lammers. I didn't intend to carry out what it says. I had to write to Lammers, I agree with it. Afterwards, in personal talk before the session which was brought up here with Frank and Luekner, I reported to Hitler and explained to him --

Q Then your answer is that you don't know what was meant by "special treatment"?

A No, I did not know at the time.

Q Now, there is one other question that I should like to put to you. You remember when you were called on the 11th of March, 1938, at the time of the Anschlusswith Austria, and you wrote the letter of the 12th of March, 1938, in answer to the memorandum which you received from the British Government through Sir Neville Henderson. You knew Sir Neville Henderson, quite well, didn't you?

A Yes.

Q And in that letter you said this: "It is untrue that the Reich used forceful pressure to bring about this development; especially the assertion which was spread later by the former chancellor that the German government had presented the Federal President with a conditional ultimatum is pure invention. According to the ultimatum, he had to appoint a proposed candidate as chancellor and form a cabinet conforming to the proposals of the German government, otherwise the invasion of Austria by German troops was held in prospect." And then you go on to say what you allege was the truth of the matter. You know, now, don't you, that your statements in that letter were entirely untrue?

A It didn't come through.

Q Have you heard any part of the question that I was putting to you?

A Unfortunately not.

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Q It is a pity that you didn't say so earlier. Do youremember the 11th of March 1938 and being called in to represent the Foreign Office, and you have told me just now that you knew Sir Neville Henderson quite well?

A Yes.

Q And you remember the letter which you wrote on the 12th of March 1938?

A Yes.

Q And you admitted to Sir David Maxwell-Fyfe that the statements in that letter wereuntrue?

A Untrue, yes; they are presented incorrectly.

Q What steps did you take to find out whether or not they were true?

A I learned of the incorrectness of this presentation only much later.

Q That is not an answer to my question. I said: What steps did you take to find out whether the statement was correct?

A The statement which Hitler gave me I assumed to be true. I could not investigate it.

Q Why should you assume it to be true when it was in contradiction of what the British Government had stated?

A I had no other knowledge of the events. I could only say what I knew.

Q. You had the letter, the protest from the British Government, had you not?

A. Yes.

Q. You knew Sir Neville Henderson perfectly well?

A. Yes.

Q. And you then wrote this letter contradicting the statements which had been made on behalf of the British Government, that is right, isn't it?

A. Yes.

Q. And you took no steps to check the facts which had been stated to you by Hitler? Will you answer that, please?

A. Yes. Your Lordship, how was I to do that? There was no one else who knew about it; only what Hitler had reported to me to tell the Foreign Office. The draft of this note was drawn up by the Foreign Office according to the information which I had received from Hitler. I had no opportunity to clear the matter up.

Q. There were all the other persons who were concerned with the matter whom you could have communicated with, but your statement is that you did nothing?

A. I can only repeat that I had no opportunity to attain other information. No one knew about it aside from Hitler.

Q. Are you telling the Tribunal that Goering didn't know about it?

A. Perhaps Goering knew about it.

THE PRESIDENT: That is all. The Defendant can return to the dock.

DR. VON LUEDINGHAUSEN: Mr. President, I ask permission to call the first witness, the former Ministerialdirektor, and head of the political section in the foreign ministry, Dr. Koepke.

. . . . . .

GERHARD KOEPKE, a witness, took the stand and testified as follows:



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BY THE PRESIDENT:

Q. Will you state your full name, please?

A. Gerhard Koepke.

Q. Will you repeat the oath after me:

I swear by God, The Almight and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath).

THE PRESIDENT: You may sit down.

DIRECT EXAMINATION

BY DR. VON LUEDINGHAUSEN:

Q. Dr. Koepke, how long have youknown Mr. von Neurath?

A. I have known Mr. von Neurath for over forty years. His career is well known. Therefore, I need only indicate that as Vice Consul in London, the Legation Consul in the Foreign Office, and later when Mr. von Neurath became Minister in 1932, until I left in '35, we worked together. In the meantime, Mr. von Neurath was in Copenhagen, Rome, London, and for sometime at his home, and finally in Prague. We met only occasionally when he was in Berlin, and we kept up a comparatively lively correspondence as old friends. I myself was employed in the Foreign Office during the whole period. From '21 on I was head of the Legal Department, and from 1923 I was Director of the political so-called Western Section, which I directed until I left the service. I resigned voluntarily at the end of 1935.

Q. What do you know about the basic attitude of Mr. von Neurath on domestic and foreign policy on a large scale?

A. Concerning politics, Mr. von Neurath was close to the conservative circles but he was never a member of the Conservative Party. From this basic conservative attitude and also because of his outstanding character traits of loyalty to duty and reliability, he had the confidence of Reich President von Hindenburg, and returned it without interruption until the latter's death. Mr. von Hindenburg esteemed von Neurath as a moderate, reliable dip,omat. Men of other political parties also had confidence in von Neurath. I shall mention only the

later Reichspresident, Ebert, who recalled Neurath to office at one time.

Q. What do you know about von Neurath's appointment as Reich Foreign Minister in the summer of '32?

A. The appointment of Mr. von Neurath as Reich Foreign Minister was based on a personal wish of President von Hindenburg. Neurath did not become Foreign Minister within the Papen cabinet, but became Foreign Minister at the special request of



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Reichspresident von Hindenburg.

Q Then how did it come about that von Neurath remained Foreign Minister in the new Hitler government?

A In the negotiations with Hitler about the seizure of power, von Neurath did not participate as far as I know. Of course I can only rely on my memory. In the decisive days he was sick with a heart disease, but he remained Foreign Minister again at the special wish of Mr. von Hindenburg.

Q Can you tell us anything about the relationship of Mr. von Neurath with Hitler?

A I should like to remark, bu way of introduction, that from my own immediate observation I can not testify anything on this subject. I was never present at conferences of von Neurath with Hitler. I never had any official conversation with Hitler myself. But, according to Neurath's own description and according to the information which I received from other important personalities in the course of time, I had the impression that, especially in the first years, Hitler treated Mr. von Neurath carefully and politely. To what extent this was due to consideration of the Reichspresident, whose regard for von Neurath was of course known to Hitler, I can not say. In any case, Neurath was never actually in the confidence of Hitler and was not in the close circle around Hitler, the ranks of the Party. After the death of President von Hindenburg, von Neurath remained because he had promised the Reichspresident to do so. In the following time also, Mr. von Neurath repeatedly exerted his moderate and calming influence on the Party, or attempted to do so; but I know that when disappointments and differences of opinion occurred repeatedly, Mr. von Neurath attempted to separate from Hitler. I can recall two occasions on which he offered his resignation. He showed me one of these resignations which was in writing. It must have been after the beginning of '36. At that time I had already resigned and I visited Mr. von Neurath in a purely private capacity.

Q Can you give us briefly a picture of the attitude of Mr. von Neurath toward the National Socialist Party ?

A Mr. von Neurath was waiting to see what would come of the party at first. I did not know any of these men personally. Mr. von Neurath was convinced that on the basis of his many years of experience as an old diplomat, and because of his confidential position with the Reich President, he would be successful in exerting moderate influence on behalf of his policy, which was for understanding.

Neurath spoke to me, and I believe also to other colleagues frequently. He referred to the experience which he had had in Rome with Facism. He occasionally said that such revolutionary elements should be allowed to develop quietly, that these hotheads would come to their senses if they were given time and opportunity to gather experience themselves in a responsible position.

Neurath shared the opinion of State Secretary Buelow, the State Secretary of Reich Chancellor Bruening, and until his death he protected him against repeated attempts of the Party to get rid of him.

I should like to mention a small detail which was very valuable to us at the time. When State Secretary Buelow died suddenly, Neurath brought it about that Hitler personally participated in the funeral at the Kaiser Wilhelm Gedaechnis Kirche. The old officials of the Foreign Office saw in that a good sign for the strong position of our minister toward the Party. This event, which is quite beside the point , was exactly ten years ago today.

Q As head of the Political Section of the Foreign Office, you were one of the first co-workers of Mr. von Neurath, and surely you can say what the basic tendencies of Mr. von Neurath's foreign policy were.

A Neurath's political attitude on the whole was, according to his full character and his years of experience in politics, based on waiting, negotiating. Solutions by violence did not suit von Neurath's temperament. Neurath was not a gambler or fighter by nature.

Q Now I come to individual important foreign political events which occurred during the period in which you worked under Mr. von Neurath and were head of the political section.

In October 1933, Germany left the disarmament conference and the League



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of Nations. Now, I should like to ask you whether this step of Germany's, leaving the conference and the League of Nations, indicated any aggressive or belligerent tendencies for the moment or for the future.

A No. As far as the picture of the events mentioned by defense counsel was clear to us, it was as follows : As to warlike plans or preparations for war, no one of us in the Foreign Office thought of it. It was only done to proclaim as impressively as possible that Germany would no longer allow herself to be considered a nation without the same rights as other people.

The militarization of the Rhineland was not based on any aggresive intention, either for the moment or for the future.

Q In the next few years, in 1935, Germany's defense sovereignty was repealed, and a year later, the demilitarized Rhineland zone was remilitarized. I should like to read you one sentence from the affidavit of the former minister and interpreter



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Schmidt. He says, in regard to the eventsin the spring of '35:

"The conclusion of a pact of mutual assistance between France and Russia on the 2nd of May 1935 followed the proclamation of the foundation of the German air force and the introduction of general military service in March 1935."

Will you please give us a brief review of the historical development of these matters which led to the repeal of the defense sovereignty in 1935 and to the remilitarization of the Rhineland.

THE PRESIDENT: Dr. Luedinghausen, we have had the historical development of these matters over and over again. Surely we don't want it from this witness.

DR. VON LUEDINGHAUSEN: Only very briefly, only the dates, Mr. President; no explanations. I should like to emphasize once more --

THE PRESIDENT:(Interposing) The Tribunal have the dates in their minds. We really have had these dates in our minds for some months.

DR. VON LUEDINGHAUSEN: Very well. If the Court believes that it is not necessary, I must, of course, dispense with it.

THE PRESIDENT: Well, you can put any question you really want to put about it, but you said, "Will you give us the historical developments from the 2nd of May 1935." We have heard that over and over again.

DR. VON LUEDINGHAUSEN: Yes, Mr. President. I was only interested in the following, the affidavit of Mr. Schmidt which I have just quoted.

THE PRESIDENT: Ask the question, whatever you want to ask about this affidavit.

DR. VON LUEDINGHAUSEN: Very well. I shall formulate the question as follows:

BY DR. VON LUEDINGHAUSEN:

Q I have just read this sentence by Mr. Schmidt, that the conclusion of the Russian-French Pact of May 2, 1935 was the result of the restoration of military sovereignty. Is that true, or what was the case?

A That question is difficult to answer if one considers these events as they happened, in chronological order. The conclusion of the French-Russian Pact was on the 2nd of May 1935. The restoration of military sovereignty was in March 1935. However, the negotiations for this treaty of

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assistance go much farther back, and I should like to recall the stage in which these negotiations were before the restoration of military sovereignty. It is shown clearly in the report of the French Military Committee. It speaks of a close entente of the two states. That was on the 23rd of November 1934.

Q. Now I come to another question. Will you please tell us whether you know the opinions of von Neurath in the Austrian question at your time?

A. I know Mr. von Neurath's point of view on the Austrian question. I knew it much longer than from our working together while he was minister.

As a person coming from southern Germany he was always particularly interested in the problem and I recall having a conversation with him even when we were vice-consuls. His attitude and intentions had always been to make the relationship between Germany and Austria a closer one on an economic basis, especially in the interests of Austria and to secure a joint policy politically but not to touch the independence of Austria. From the experience which we in the Foreign Office had several years before he became minister wit the Customs Union, which was intended only in an economic sense, and the fact that this attempt was generally evaluated as a political Anschluss warned everyone who should decide to touch this hot iron again. Therefore, Neurath, during his period office, insofar as he discussed it with me and worked on this problem, he thought along the same lines about it.

I should like to add here that the critical time on the Austrian question was probably after I left office. However, Hitler originally assured Neurath of a moderate attitude, as was shown in the pact with Mussolini in Venice in the summer of 1934. Especially interesting, however, are the remarks which Hitler made on the Anschluss problem to Sir John Simon at the negotiations in Berlin in March 1935. At that time Hitler told the English statesman about as follows:

If the people in London knew Austria as well as he did they would believe his assurances that he could not want to increase our economic cares by adding another field of economic care. Germany did not want to interfere in this country. He knew especially that any interference in Austrian affairs, even carrying out a wish of theAustria people themselves for Anschluss, would not be legalized. That was Hitler's opinion at that time.

Neurath also rejected all interference in internal Austrian affairs and condemned the attempts which was to be seen in Party circles to give direct support to theAustrian National Socialists. During my time Neurath did



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everything he could to keep the Foreign Office out of the internal political struggle in Austria.

Q. Another question. Up to the time of your resignation at the beginning of 1936, was there ever any mention in the Foreign Office of attacking Czechoslovakia or not observing the treaties with Czechoslovakia?

A. Never, neither the one nor the other. Our economic and political relations with Czechoslovakia were, as long as I was in service, very good. There was no occasion, no reason to change them at all.

Q. And now my last question. Can you tell us anything about Mr. von Neurath's attitude toward the race question?

A. On this question Neurath was absolutely opposed to the party attitude. In that connection I should like to recall an experience about which Neurath told me personally.

When the Jewish legislation was about to be proclaimed the Reich Foreign Minister Guertner --

Q. Justice Minister?

A. Yes, excuse me, I meant Reich Justice Minister Guertner -- came to him and was quite excited. He told con Neurath that he, Guertner, had in vain warned Hitler against proclaiming all these laws. He asked Neurath urgently as Foreign Minister to point out the enormous dangers which this madness could bring about in other countries. Neurath told me that he immediately did so; that all his efforts were in vain.

Neurath's personal attitude on the Jewish problem was, according to his whole kind personality and religious attitude, to reach an agreement, and understanding. From many examples I should like to refer only to one that is as follows:

In London during the time when we were there together, the Jewish consul at the embassy was one of the closest friends of the Neurath family. When he had to leave London during the World War and was homeless and without employment Neurath immediately took active steps to help his old friend.

As Reich Minister von Neurath always helped non-Aryan colleagues, although that brought him under attack from the Party circles and that was not



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always easy.

DR. VON LUEDINGHAUSEN: Mr. President, I have no further questions to put to the witness.

THE PRESIDENT: Does any other member of the defendants's counsel want to ask any question?

Do the Prosecution wish to ask any questions?

SIR DAVID MAXWELL FYFE: My Lord, the Tribunal will, of course, not consider that the Prosecution are accepting every statement of the witness but I do not think that it would be a useful appropriation of time to cross-examine him. Therefore I shall ask no questions.

THE PRESIDENT: One moment Sir David.

Sir David, would it be convenient to you and to the members of the defendants' counsel to discuss the questions of supplementary applications for witnesses and documents at two o'clock?

SIR DAVID MAXWELL FYFE: Certainly, my Lord, it would be very convenient to me. I do not think there are many serious matters about which there will be serious dispute.

THE PRESIDENT: No, I thought there were not. Very well, we will do that then.

The the witness can retire.

Dr. von Luedinghausen, call your next witness and then we can have him sworn before the adjournment.

DR. VON LUEDINGHAUSEN: May I ask Dr. Diekhoff, successor of Dr. Koepke, be called to the stand.

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HANS HEINRICH DIEKHOFF, a witness, took the stand and testified as follows

BY THE PRESIDENT:

Q. Will you state your full name please?

A. Hans Heinrich Diekhoff.

Q. Will you repeat this oath after me?

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.



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(The witness repeated the oath).

THE TRIBUNAL : Now the Tribunal will adjourn.

(A recess was taken until 1400 hours)

AFTERNOON SESSION

(The hearing reconvened at 1400 hours, 26 June 1946)

SIR DAVID MAXWELL-FYFE: If Your Lordship please, My Lord, the first application is on behalf of the defendant von Neurath with regard to M. Francois Poncet. That has been dealt with. That is covered.

Then, My Lord, the next is an application from Dr. Marx on behalf of the defendant Streicher to put in an affidavit by the publisher, Herr Gassner of the "Stuermer". My Lord, the published is intended to deal with the question of the rise and the circulation of the "Steurmer" during the years 1933 to 1935. The Prosecution have already submitted to the Tribunal that they do not think that that is relevant when an application was made to call Herr Gassner as a witness. The Prosecution still take the same position. My Lord, it is for an affidavit, and we leave to the Tribunal as to whether they would like the affidavit, but the Prosecution fail to see the relevance of that evidence.

THE PRESIDENT: Would Dr. Marx like to say saything about that now?

DR. MARX (Counsel for defendant Streicher): Mr. President, I have discussed this matter with defendant Streicher. He tells me that the witness whom I have proposed to call, Herr Gassner, of whom an affidavit had been proposed, would be in a position only to speak about the period beginning with the year 1941 and with reference to the publication figures of the "Stuermer". Naturally, that is of no interest whatever to the defense. I shall, therefore, refrain from using the affidavit and rely on what the witness Heimer has said in that respect, and therefore it would probably not be at all necessary to adhere to the affidavit.

SIR DAVID MAXWELL-FYFE: My Lord, the next application is by Dr. Kranzbuehler on behalf of the defendant Doenitz for further consideration and admission of the affidavit of the former fleet judge, Jekyl, by reason of the course of the cross examination.

My Lord, I think the most convenient course would be if the Prosecution do not object to the application at this time but reserve the right, when Dr. Kranzbuehler makes the use that he desires of the affidavit, that we may consider whether we shall then object.



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THE PRESIDENT: This is really evidence in rebuttal, is it?

SIR DAVID MAXWELL-FYFE: Yes, in rebuttal of the points raised in the cross examination. It is very difficult to decide whether one should make a final objection until one knows what use DR. Drakzbuehler is going to make of it. I suggest that we do not object at this stage.

THE PRESIDENT: Well, these applications and the Tribunal's orders granting the witnesses are always subject to that provision.

SIR DAVID MAXWELL-FYFE: If Your Lordship please. Then the Prosecution makes no further objection.

My Lord, then there are two applications on behalf of the defendant von Neurath, a request for minutes from the interrogatory of the ---

THE PRESIDENT: They have both been withdrawn, have they not?

SIR DAVID MAXWELL-FYFE: Oh, they have? I was not certain.

My Lord, then Dr. Thoma makes application on behalf of the defendant Rosenberg for three matters: the exchange of letters between Dr. Ley and the defendant; the entry of Dr. Straubor, 27 May 1944; and third, a note of the Ministerialrat, Dr. Beil.

My Lord, the Prosecution feel that these documents are cumulative, and they leave it to the Tribunal with that suggestion -- that the case is already well covered. I don't know if Dr. Thoma wishes to say anything further.

DR. THOMA (Counsel for defendant Rosenberg): Gentlemen of the Tribunal, I should merely like to say briefly that apparently there has been an error in the matter of Dr. Beil, because here we are concerned with an interrogatory. I have submitted an interrogatory to him which has not yet been received back. There is nothing else that I know about this affair, but I have made an application which has not been mentioned yet. I applied for some of Rosenberg' writing to be included in thedocument book -- the questions which were discussed during the meeting of the conferences in the Gau Schools and which refer to questions of the living together of the nations of Europe, and religious tolerance, and his work for a finer humanity, and I should like to have these articles admitted, please. Apart from that, I have no further applications to make, and I leave the decision, of course, to the Tribunal.



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THE PRESIDENT: If I understand what you said right, Dr. Thoma, you weren't referring to any of the applications which are before us. The applications which are before us are an exchange of letters between Dr. Ley and the defendant in the autumn of 1944; another is an entry which Dr. Strauber made; and the third is a note of Dr. Beil.

DR. THOMA: Yes, that is right. I have to confess that these applications are completely strange to me. In my opinion, Rosenberg must have made applications on his own initiative, because I can't find any trace of them. Or perhaps an error was made in the memorandum to the Tribunal. I don't know the application.

THE PRESIDENT: Well, Dr. Thoma, the copies of the applications are before us, and they appear to be signed both by the defendant Rosenberg and by yourself.

DR. THOMA: In that case, this must have happened months ago. I can't remember; this is the 3rd of June.

THE PRESIDENT: At any rate, you don't want them?

DR. THOMA: Application number 3 is settled.

I have re-read the applications just now, and I do remember them. May I beg the Tribunal to make a decision favorable to the defendant, please?

SIR DAVID MAXWELL FYFE: My Lord, the next applications are a number of documents on behalf of the defendant von Papen, and the prosecution have no objection to those.

THE PRESIDENT: Sir David, a good many of them -- certainly numbers 3, 15, and 13, I think -- have either been admitted or rejected.

SIR DAVID MAXWELL FYFE: That is so, My Lord. I had a note opposite number 13. I really think they have been dealt with, My Lord, they are in the books, and I don't think any further discussion is required.

THE PRESIDENT: Are they all in the books?

SIR DAVID MAXWELL FYFE: I think so, My Lord.

Dr. Kubuschok says he agrees with me.

THE PRESIDENT: Very well.

SIR DAVID MAXWELL FYFE: If Your Lordship Pleases, the next is an

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application on behalf of the defendant Bormann, a request for a decree of Hitler's, and a decree issued by Bormann in 1944.

My Lord, the prosecution have no objection to these.

THE PRESIDENT: I don't quite understand the meaning of the last one. Can you tell me what it means?

SIR DAVID MAXWELL FYFE: My Lord, I took it myself that it was to the SD, instead of "of" the SD, pertaining to members of the head office of the National Socialist Party to the SD.

I am afraid that that guess on my part does not meet with approval.

DR. BERGOLD (Counsel for defendant Bormann): My Lord, we are here concerned with a decree from Bormann in which he prohibits members of the Party Chancellery from becoming members of the SD. It is an internal decree of Bormann's, therefore, applying to the Chancellery.

THE PRESIDENT: Thank you.

SIR DAVID MAXWELL FYFE: My Lord, the remaining applications are on behalf of the defendant Goering, the admission of an affidavit by Baron von Gersdorff, and a book by Joseph Chepski. My Lord, my Soviet colleague has dealt with that by submission in writing, dated the 20th of June. I did not propose to say anything further about that, My Lord. Colonel Pokrovsky is here if Your Lordship would like to hear him further.

THE PRESIDENT: I thought we had already made an order with reference to this.

SIR DAVID MAXWELLFYFE: Your Lordship has.

THE PRESIDENT: We made the order on the 9th of June, apparently, that, for the defendant Goering, three witnesses could be produced either personally -- Perhaps we had better hear from Dr. Stahmer about this.

DR. STAHMER (Counsel for defendant Goering): Mr. President, we understood that the decision of the Tribunal was this: Having applied for five witnesses, the Tribunal then went on to say that I could produce three out of the five.

THE PRESIDENT: That is right.

DR. STAHMER: Then, with reference to the affidavits, nothing was said in that particular decision. Therefore I had assumed that I would not be prevented from asking for permission to submit an affidavit in so far as the

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Tribunal considers that necessary.

THE PRESIDENT: Dr. Stahmer, after the Tribunal had made that order about limiting the number of witnesses to three, didn't you receive a communication, to which you have replied, I think, suggesting that possibly you might be able to dispense with actual oral witnesses and do that whole part of the case by affidavits?

DR. STAHMER: Yes, Mr. President, yes. I received it, and I have already negotiated about the matter with the Russian prosecution. We didn't quite reach an agreement, however, and therefore I made a supplementary application to the Tribunal a few weeks ago.

THE PRESIDENT: Yes, but wasn't the agreement which you striving to arrive at an agreement that only three affidavits should be produced on either side? Or was it more than three?

DR. STAHMER: No. The question which remains, and which we haven't agreed upon, is whether I can read a few of the affidavits here.

THE PRESIDENT: I see.

Dr. Stahmer, I think the position is, then, that unless you are able to arrive at an agreement with the Soviet prosecution, we shall have to abide by our previous order.

DR. STAHMER: Very well.

SIR DAVID MAXWELL FYFE: I wonder if Your Lordship will grant me the indulgence of mentioning three exhibits. They all refer to the diary of Admiral Assmann, My Lord, which was introduced during the cases of the defendants Doenitz and Raeder. There are three exhibits concerned.

The first is document D-879. We thought that would be more complete if a connecting page was put into make the continuity of the Exhibit. For that purpose, My Lord, the prosecution asks that Exhibit GB-482 be withdrawn and that there be substituted the two pages which were originally in it, with a connecting page. That is merely adding a connecting page, My Lord.

The second is document D-881 --

THE PRESIDENT (Interposing): Is there any objection to that on the par of the defense?

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SIR DAVID MAXWELL FYFE: I don't think so, My Lord, I haven't heard of any.

THE PRESIDENT: What do the documents relate to, did you say?

SIR DAVID MAXWELL FYFE: The diary of Admiral Assmann, who was on the staff of the defendant Raeder.

THE PRESIDENT: Oh yes.

SIR DAVID MAXWELL FYFE: My Lord, it is only a question of putting the exhibit in proper form.

The second document, My Lord, is D-881, which is another passage from the same diary, on the 23rd of February, 1940. I promised Your Lordship that I should put in an exhibit when I dealt with the diary in cross-examination and, My Lord, the exhibit has been prepared and I want to put it in under the number GB-475. That is, D-881 will become GB-475.

The third, which is in the same position as the second, is document D-892. That exhibit has now been prepared and will become GB-476. Copies are available for the defendants and will be given to them after the approval of the Court is given.

THE PRESIDENT: And copies, of course, will be supplied to the Court as well?

SIR DAVID MAXWELL FYFE: Of course, My Lord. They are just awaiting the formal approval of the Court, and they will be submitted.

THE PRESIDENT: Yes, Sir David, that is all right.

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THE PRESIDENT: Then, Sir David, we will consider the other matter.

SIR DAVID MAXWELL FYFE: If yourLordship pleases.

THE PRESIDENT: Very well.

Yes, Dr. Thoma.

DR. THOMA: Mr. President, I just wanted to use this opportunity to submit to the Tribunal the affidavit of Robert Scholz. It has been returned, translated into English, French, and I should now like to submit it under Exhibit No. 41 to the Tribunal. I have already shown it to Mr. Dodd, and he has not objected.

THE PRESIDENT: Very well.

DR. KRAUS (Counsel for the defendant Schacht): Mr. President, I wanted to ascertain whether and at what point we could submit affidavits and documents after this situation. The reason is that during recent days I have received two affidavits and a document, the relevance of which has not yet been finally decided upon.

THE PRESIDENT: Sir David, the Tribunal would like to know when the counsel for the prosecution and counsel for defense think would be the best time to deal with these matters which are outstanding, and with any evidence which either the defense or the prosecution may wish to bring in rebuttal.

SIR DAVID MAXWELL FYFE: Yes, My Lord. I have not had the chance of discussing it with any of the counsel for the defense, but I should have thought at the end of the evidence. One might reasonably hope that the evidence will finish this week. It might be possible to deal with it on Saturday morning or on Monday, and suit the counsel for the defense, and, of course, as the Tribunal decides.

THE PRESIDENT: Yes. The Tribunal, I think, will expect the defense counsel and the prosecution to be ready, directly the end of the evidence comes, to deal with all these additional questions which are outstanding and also with any applications that they may have with reference to rebuttal.

SIR DAVID MAXWELL FYFE: If your Lordship please, yes.

THE PRESIDENT: I wanted that to be clearly understood, that it will be expected that it is to be done immediately the evidence closes. That, I think, answers Dr. Kraus's point about the affidavits and documents. That would be the most appropriate time.

Sir David, have you got any ideas as to how long that would take?

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SIR DAVID MAXWELL FYFE: My Lord, I think a very short time. I should have thought that two days or thereabouts would see it through. I have discussed it with Mr. Dodd, and that was the view we took.

THE PRESIDENT: Yes. In about two days at the outside?

SIR DAVID MAXWELL FYFE: At the outside, My Lord. Yes.

THE PRESIDENT: Very well.

SIR DAVID MAXWELL FYFE: If your Lordship please.

HANS DIEKHOFF -- Resumed
DIRECT EXAMINATION -- Continued

BY DR. VON LUEDINGHAUSEN:

Q Mr. Witness, since when have you known Mr. von Neurath?

A Since 1913. I met him when I joined the Foreign Office, and he was counsel to the Foreign Office at that time. I then met him again in Constantinople, and there I had contact with him. Then I did not meet him again until 1930.

Q In what capacity did you have dealings with von Neurath beginning with 1930?

A First of all, beginning in 1930, von Neurath was ambassador to London, and I, in the Foreign Office, was head of the department of England and America.

Q What was the cooperation at the time between the Foreign Office -- that is, yourself -- and von Neurath, who was ambassador to London just then?

A The cooperation was excellent.

Q Do you know anything about Neurath's appointment to the position of Reich Foreign Minister?

A I remember that most of the leading officials of the Foreign Service were upset by Bruening's sudden departure, who stood for sound policy at the time. We only agreed with the change because it was von Neurath who took Bruening's place; and because we knew that Neurath was a man whom we considered as an experienced diplomat. Furthermore, we knew that he was representing Bruening's policy in London, and we therefore expected that as Foreign Minister he would continue Bruening's policy.

I think it was on the 2nd of June that I picked up von Neurath at the station in Berlin when he arrived in Germany; and the conversation I had with

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him gave me the impression that he did not like leaving London at all, and that he was not very pleased with having to take over the Foreign Ministry. He did tell me, however, "I shall comply with the wishes of the old gentleman." That, of course, was Reich President von Hindenburg.

Q What position did you hold yourself during the time when you worked under von Neurath in the Foreign Ministry?

A First of all, I remained at the head of the department of England and America until 1936. Afterwards, in April, 1936, I took over and re-established the political department, and then Secretary of State von Buelow died in June, and in August, 1936, I was given the post of Secretary of State of the Foreign Office. I remained in that provisional position until March, 1937, and then I became ambassador to Washington.

Q Did von Neurath, as Foreign Minister, retain the old officials of the Foreign Office?

A Practically in all the leading positions of both the head office and the Foreign Office he retained the old officials.

Q Did he, for instance, retain the Secretary of State von Buelow?

A He remained for four years in the same position in the Foreign Office, until his death.

He sent Ambassador Hoesch to London as his successor, and he sent Ambassador von Hassel to Rome and Ambassador Kessler to Paris, all of whom were old diplomatic officials.

Q Can you tell us from your own experience during your activities what the aims of Neurath's foreign policy were?

A It was the aim of von Neurath to have good relations with all states, and by this means to reestablish Germany's equal status which we had lost in 1918, gradually. This was the same policy as had been Stresemann's and Bruening's policy.

The difficulties connected with Germany's position were known to von Neurath, and he talked to me about it repeatedly. He was by no means pleased. He saw things realistically. His tendency was to exercise moderation.

Q What do you know about Neurath's entry into Hitler's government, which was being formed on the 30th of January, 1933?

A I only know about this what I was told by Secretary of State von

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Buelow when I returned from leave at the beginning of February, 1933, to Berlin. Afterwards, Neurath did not in any way participate in the formation of the new cabinet -- that is, Hitler's cabinet -- and apart from that, he was sick about that time. He heard of the plan of making Hitler Reich Chancellor and forming a new government. He wanted to discuss it with Reich President von Hindenburg, to make certain reservations and to secure them for himself. But he came too late, and could not, therefore, prevent anything. In spite of this, he still retained the Foreign Ministry in the new cabinet because he did not want to disappoint the Reich President, and wanted to fulfil his wish.

Q Do you know anything about Neurath's attitude towards the National Socialist policy in the interior?

A I know that Mr. von Neurath, soon after the 30th of January, 1933, had certain worries regarding the interior policy, because he was feeling particularly that this would be a burden to foreign policy. When, in June 1933, I visited him in London, where, during that period he was visiting the world economic conference and was head of the German delegation, he explained his worries to me. He said, however, that these things wouldprobably die down and that very probably developments would be similar to those in Fascist Italy, where there had been a wild beginning, but where things had settled down afterwards. He was hoping that that plan would be applicable to Germany.

Q I shall now come to the year of 1936. One of the principal questions which dominated that year was the Austrian problem. Can you tell us what Neurath's attitude was toward the repeated intervention of German forces in the Reich in affairs in Austria?

A Yes. Mr. von Neurath considered such German intervention with Austria as an inter ference not merely non-permissible, but damaging. He told me so repeatedly. He was aiming at economic improvement of the relations with Austria, in order to improve political relations in the process. He wished to leave Austria untouched.

That also was the goal of the 11th of July agreement between Germany and Austria, the economic strengthening of affairs and by this means the re-

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establishment of the relations between the two countries.

Q Did you, before March of 1938, hear anything about the fact that Hitler had intended to annex Austria, with the necessary arrangements, of course?

A No.

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Q Did you know anything before 1938 about the fact that Hitler had intended to solve the Sudeten problem by force or to attack Czechoslovakia at all?

A No.

Q Do you know whether Hitler agreed with the peaceful policy which was Neurath pursued both with regard to Austria and Czechoslovakia and also with regard to the other European countries until November 1937?

A Until von Neurath's resignation, departure in February 1938, I always presumed that Hitler agreed with the peaceful policy pursued by von Neurath and Inever heard anything to thecontrary.

Q Do you know the thoughts and reflections which von Neurath had regardind the question of rearmament, that is to say, the return of Germany's armed supremacy in the year of 1935?

A I know that Mr. von Neurath based his thoughts on the fact that by the statement given by the Western Powers on the 11th of December 1939, Germany had equal rights affirmed to her and that therefore when all disarmament efforts had failed, he considered that Germany did definitely have the right to rearm.

Q I should like to put the same question to you, withregard to the reflections and attitude of Herr von Neurath, with reference to the remilitarization of the demilitarized Rhineland.

A I know that von Neurath was aware of the seriousness of this problem and because he knew that the problem of the remilitarization of the Rhineland was inter-connected with the Locarno Pact but I know that in the French-Russian aggrement of assistance, he saw a breach of the Locarno Pact and that the ratification of this Pact, that is, the coming into force of it--he derived the right of Germany to rearm in the Rhineland also.

Q What was the politican situation altogether in those days? Could one assume on the strength of it that sooner or later a peaceful solution of this Rhineland problem would be arrived at in any case?

A The actual development after the 7th of March, 1936, showed that the Western Powers--though they did not agree to the remilitarization of the Rhineland--did nevertheless very quickly find themselves satisfied with the fait accompli. In those days I spent fourteen days in London, two weeks, on behalf of the Reich Government, whichwas the second half of March, 1936, and

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I had the opportunity to discuss this matter with a number of Englishmen and the view I found in the widest circles was that now Germany had been granted equal rights and one couldn't deprive them of the right to remilitarize the Rhineland. In certain circles I even found the view that one set believed that the remilitarization of the Rhineland, whichwas due sooner or later in any case, was carried out so quickly and comparatively painlessly.

Q And now one last question. What do you know about von Neurath's resignation from the positionof Reich Foreign Minister in February, 1938?

A In those days, at that time I was Ambassador to Washington and I was completely surprised by Neurath's sudden departure from the position of Foreign Minister. I did know that there were many thing he did not agree with and that repeatedly here he had applied to be allowed toresign and I also knew that he was ill; he suffered from a rheumatic heart. I also knew that he had celebrated his sixty-fifth birthday which gave him the right to retire, but I was nevertheless surprised about the actual fact particularly as I didn't know the details at that moment. I had confidence in the people's policy of the Foreign Minister and I regretted his departure very much indeed. I remember that amongst the officials in Washington, his departure was also very much regretted, because Secretary of State Sumner Welles called me a few days after this new development and asked me about von Neurath's resignation and he told me that in the American Government the departure of this man from his office, who had pursued a level headed policy, was being regretted.

DR. VON LUEDINGHAUSEN: Mr. President, I have no further questions to this witness.

THE PRESIDENT: Do any other member of the defendant's counsel wish to ask him any questions?

BY DR. KUBUSCHOK (Counsel for von Papen):

Q One single question, Mr. Witness. You said that on the occasion when von Neurath commenced his activities as Foreign Minister, you had expected that he would continue Stresemann's and Bruening's policy and bring in his policy? Did he actually continue it after he became Foreign Minister--as far as you know, that is?

A Yes.

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DR. KUBUSCHOK: Thank you.

SIR DAVID MAXWELL FYFE: My Lord, on the same basis I intimated with regard to the last witness, the prosecution do not desire to take up time by asking any questions.

THE PRESIDENT: Then the witness may retire.

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DR. VON LUEDINGHAUSEN: Mr. President, may I then have your permission to call my third and last witness, Dr. Voelkers.

HANS HERMANN VOELKERS, a witness, took the stand, and testified as follows:

BY THE PRESIDENT:

Q Will you state your full name, please.

A HANS HERMANN VOELKERS.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath).

THE PRESIDENT: You may sit down.

H0166 – 0064

DIRECT EXAMINATION

BY DR. VON LUEDINGHAUSEN:

Q Mr. Witness, on two occasions you were the personel referendary attached to von Neurath; this was at the beginning of his position as Foreign Minister and later when he was Reich Protector of Bohemia and Moravia; is that correct?

A Yes; since 1920, I was a member of the Foreign Office and I spent all my time abroad. I spent four years in Geneva as permanent representarive for German and General Counsel attached to the League of Nations and again in 1932 I was called to the Foreign Office and became personal referendary of the newly appointed Foreign Minister Herr von Neurath. I remained in that positic for one year and then upon my own request I was sent to Madrid as an Embassy Counsel and then I became Ambassador to Havana and in 1939 I was called back to the Foreign Office for use as personal referendary with the title of a "Cabinet Chief" to Herr von Neurath who in the meantime had been appointed Reich Protector for Bohemia and Prague.

Q This appointment to personal referendary of von Neurath in Prague, did it take place on the strength of any personal relations or merely for professional reasons?

A Only for professional reasons; until I was attached to von Neurath in Berlin, I didn't know him.

Q What was the attitude of the officials of the Foreign Ministry toward Neurath's appointment as Foreign Minister?

A I had the impression that the officials of the Foreign Office were generally most satisfied to see that an old professional diplomat was appointed considering the difficult political situation and that he became an expert minister because in that way we saw a guarantee for our required political course; this was all the more so as one knew that von Neurath had the special confidence of the Reich President von Hindenburg and also because he, on the strength of his entire personality and his level-headedness and quietness, enjoyed the recognition and worship of all the officials of the Foreign Office. When Hitler came to power afterwards, I had the impression that he was sceptical towards him and retiring. He did not belong to the circle of the closer associates of Hitler and never during that time when

26 June-A-PM-15-2a-Saslawwas working for him did he participate in the daily evening conferences which Hitler was holding in the Reich Chancellery in those days. Gradually, however, the pressure against the Foreign Office increased more and more. The foreign organization was created and Ribbentrop's office was starting a competitive enterprise in which all sorts of dull people went into it and at once went on a journey abroad and they were furnishing all sorts of special reports which went directly to the Fuehrer without which the Foreign Office had any control; and to add to this, that later on, the head of the foreign organization was sent to the Foreign Office as a commissioner and that Prince Waldeck was in fact sent into the personnel department of the Foreign Office. At that stage the pressure became such that finally one couldn't fight against it any more but the fact that the Foreign Office held itself as long as rather like an "island" and that it still resisted the pressure and escaped the pressure of the Party, that,I think, is certainly the merit of the former Foreign Minister and his Secretary of State von Buelow. Later, when the new Jewish laws were introduced, too, in the Foreign Office, I know, that von Neurath protected as far as possible his officials, and I, myself, during the last two years of the war when I was in Stockholm, found two former colleagues of mine there with whom I had a close friendship and that is Ministerial Director Richard Meier who used to run the mail department and who had to leave earlier and who has often told me in Stockholm how grateful he was to von Neurath for not only having enabled him to take with him his family and his furniture and everything else when he went abroad but also that von Neurath, until the collapse, continued to pay him his monthly pensions and had it sent to him in Swedish kronen.



H0166 – 0065

H0166-0066

Q. What was your position and your activities in Prague in the Protectorate government?

A. My position in Prague with the government of the Protectorate was approximately the same as the one I had seven years earlier when I had been personal referendary attached to the Foreign Ministry in Berlin, with the only difference that in the Foreign Office there was a special Records and Minutes Department and a Chief of Minutes and Records, whereas in Prague, as my chief occupation, I was also in charge of all protocols and ceremonial affairs. I had under me the so-called offices of the Reich Protector, which you must not mistake for the large authority with which, as such, I had nothing to do. When, in 1939, I went to Prague in the summer, the authority was already working for several months. My predecessor had been Legation Councillor von Kessel, who came from the Foreign Office. Apart from myself, the office of the Reich Protector contained two more officials from the Foreign Office, who were attached to me, and then there was Count Waldburg, whose mother was a Czech woman, and who was employed by the Reich Protector because through him, particularly, she was hoping to establish special connections with the Czechs. The Office was responsible, apart from general and usual affairs, for dealing with the private correspondence and the handling of the personal applications, for which, as time went by, we had to create a special department, because later on, when these many negotiations took place, so many applications were received, particularly addressed to the Reich Protector personally --

THE PRESIDENT: Dr. von Luedinghausen, surely this is very remote from anything we have got to consider and all the previous evidence this witness has given has been cumulative evidence which hasn't been cross-examined upon before, and now he what he is saying is all very remote to anything we have got to consider.

DR. VON LUEDINGHAUSEN: In fact, he had already come to an end, Mr. President. I merely wanted to show that he is in a

position to answer the questions which I am about to put on the strength of his own knowledge.

BY DR. VON LUEDINGHAUSEN:

Q. What can you tell us, on the strength of your observations and experiences, regarding von Neurath's position with reference to the Czechs?

A. I can only give you general impressions. As I have already told you, I had no contact with the actual activities of the office. I was only personally attached to von Neurath for his private affairs and all ceremonial matters. But I do know, and he told me, that when he started in his position as Reich Protector he did so with the intention of treating the Czech population as justly and decently as was possible in order to equalize the difficulties and bring about an understanding which would form the healthy basis for a living together of the two nations. He often told me that he was appointed Reich Protector, a man to protect the Czechs, and we know that the last German ambassador in Prague, Dr. Eisenlohr, had often reported that the last Czechoslovakian government, in turn, had been prepared to carry out an Anschluss with Germany. He simply was an opponent of the military solution, and von Neurath told me when I came to Prague that -- I think in September '38,-- he very strongly spoke against the military solution, and that, together with Goering, he had visited Hitler in Munich in order to try and deter him from that. In the practical work of my office I experienced again and again, that von Neurath had a very kind attitude towards Czech applicants; he had much sympathy and understanding. He examined each individual case, and that was known very well amongst the Czechs. Since we in his office had the possibility of examining each individual request and application which came from Czech individuals, and handing it on directly to the highest chief, the Czech applicants had recognized this way as being most suitable, because the probability of a positive reply to their private applications and requests through the highest



H0166 – 0067

H0166 - 0068

local chief promised to be much more favorable than if they had systematically applied to the authorities concerned in the government. Particularly, this practice brought us --

THE PRESIDENT: Dr. von Luedinghausen, this witness is simply making speeches you know. You are not asking him any questions at all. He is imply going on --

BY DR. VON LUEDINGHAUSEN:

Q. Mr. Witness, what do youknow about the personal and official relationship between von Neurath and the President of State, Hacha?

A. According to my observations, the personal and official relationship between the Reich Protector and the President of State Hacha, was excellent. Furthermore, I believe that this was not merely outwardly so, but I had the impression that von Neurath really was most drawn towards the President of State, because he considered him a very decent and clear-cut character, which under the existing circumstances --

THE PRESIDENT: Witness, when you see your Counsel has heard enough of your answer, surely you can stop.

THE WITNESS: Very well.

BY DR. VON LUEDINGHAUSEN:

Q. What was the relationship between von Neurath and the Secretary of State attached to him, Frank?

A. That was a very bad one. As soon as I started my job, von Neurath told me that he had had considerable difficulties with him because of his one-sided, anti-Czech attitude, as a Sudeten German, an attitude which, as a Reich German, he could not easily understand. He had also hoped, however, that Frank who was not a civil servant and was an outsider, would gradually adapt himself to his, Neurath's, policies, and adapt himself also to the view of civil servants who were working there, but unfortunately this was not possible. I do not know when --

H0166 - 0069

Q Mr. Witness, can you describe to us briefly what the actual official powers were which von Neurath had and which Frank had, compared to each other?

A Von Neurath was the superior of the Secretary of State. The Secretary of State was running the administration and the set-up of the interior offices, which was a very large institution. Secretary of State von Burgsdorff, who I think has been examined before this High Tribunal, came underhim. In his capacity as Secretary of State, Frank was also the Higher Police and SS leader.

Q Did von Neurath, as far as this branch of Frank's activities were concerned, have decisive influence upon him; that is to say, could he influence his activity as Higher SS Police leader?

A Under the circumstances, he had no influence, practically speaking. I do not know whether, during the initial period, the matter was ruled upon by law. In practice, however, the police, and with that the Secretary of State, with his measures, were completely independent from Mr. von Neurath. This was also due to circumstances in the Reich, where Himmler, too, had the entire police and SS under him, having taken the executive powers away from the Ministry of the Interior. As near as I can remember, in the autumn of 1939 a law appeared which contained a statement according to which the police were independent, and it went on to say that von Neurath was later to be informed of all measures introduced.

Q You mean by that the decree regarding the construction of the administration and the German Security Police and the Protectorate, under date of 1st of September 1939?

A Yes, I think that is the one. The first part referred to administration and the second part to the police.

DR. VON LUEDINGHAUSEN: Mr. President, may I remind you that the wording of this decree is contained in my document book under No. 149.

THE PRESIDENT: It has been submitted as evidence?

DR. VON LUEDINGHAUSEN: Yes. I merely wanted to remind you that I have presented it.

BY DR. VON LUEDINGHAUSEN:

Q Was von Neurath at least informed afterwards, in accordance with

the instructions, of the police actions which Frank carried out independently?

A A certain SS man by the name of Boehm was the Chief of the Police who used to report to the Reich Protector several times every week. I do not believe that he informed him of the pending actions. We never heard of anything like that. Whether he reported such actions afterwards is something which I can not say. Usually it happened like this: the Reich Protector would show him numerous applications which came from the next of kin of Czechs who had been arrested or sent them to him, and then Boehm would take them along when he reported to the Protectorate. This, generally speaking, was the so-called later information of the Reich Protector.

Q Well then, when von Neurath was later on informed of such police measures, no matter in which way, did he work towards the cancellation of arrests or for any limitation and weakening of such police measures?

A As I have already told you, we in the smalloffice of the Reich Protector had a special department for the purpose of receiving such applications. This department, which of course came directly under the Reich Protector, did everything possible in order to quiet the next of kin and to bring about the releases of the detained persons. The work was particularly difficult because these local departments, the local police chiefs and the Secretary of State Frank, usually refused. Again and again the Reich Protector would then go directly to Himmler and very often to the Fuehrer himself. I know and remember that there was a very excited correspondence with Himmler and that von Neurath has repeatedly objected to the Fuehrer about this.

Q Mr. Witness, can you judge, or can you tell us anything about how far von Neurath, as Reich Protector, apart frompolice measures but in his political and economic measures, may have given instructions freely and independently or how far he was depending on Berlin when giving those?

A When I came to Prague there were all sorts of other departments besides that of the Reich Protector. For instance, there was a Reich Commissioner for Economy who, so far as I can remember and as I heard at the time, had already begun to work when the office of the Reich Protector hadn't yet been



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H0166 - 0071



established. Then there was a plenipotentiary for the Four-Year Plan and there was the Armed Forces plenipotentiary who had a large staff. Furthermore, there were Party sources which had not been centrally organized. Prague and the north came under Gauleiter Henlein in the Sudeten Gau; the whole of Moravia came under Gauleiter Dr. Jury, and the west came again under a third Gau. All these Gauleiters tried, in turn, on their part --

THE PRESIDENT: Counsel, this is all detail, isn't it, and quite unnecessary detail?

BY DR. VON LUEDINGHAUSEN:

Q Do you know anything about von Neurath's attitude towards numerous plans of Germanizing the Czechs?

A No, about that I know nothing. I only remember that on one occasion, right at the beginning, von Neurath told me -- or rather, the war had actually started, and he told me that the whole structure of the Protectorate was regarded by him as an intermediary solution and that finally peace would decide the fate of Czechoslovakia.

Q Well, then, as you probably remember, in the autumn of 1939 there were demonstrations on the occasion of the Independence Day of Czechoslovakia, on the 28th day of October, 1939.

A Well, I cannot remember the details. There were demonstrations on the Czech national holiday in October. As far as I can remember, they took place on the Wenze Platz.

Q Do you know what happened when one of the wounded students died, who was buried on the 15th of November? You probably know that there were renewed troubles, particularly amongst the students at Prague. What do you know about this and what do you know about the actions introduced immediately afterwards?

A On the second occasion there had been a previous instruction that we were to keep back the demonstrations; as I was told much later they weren't particularly effective. In spite of this, Frank had reported to Berlin about it. At any rate, the Reich

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Protector and Frank and General Frederici were called into Berlin for a conference with Hitler in the Reich Chancellory. I accompanied the Reich Protector at the time. Chvalkovsky, the Czech Ambassador in Berlin, was also invited. I was present when Hitler, in a very excited manner and in a most insulting way, reproached the Ambassador because of the events, for which he was holding the Czech government responsible. Whether the closing of universities was discussed on that occasion, I cannot remember, nor can I remember having heard that he threatened the shooting or arrest of students. The manner in which Hitler treated the Ambassador was most awkward to us. The Ambassador then left the room without having said a single word and, as far as I can remember, the subject was then no longer mentioned. We had lunch and when saying goodbye, Hitler said to Frank that he wished to talk to him some more.

I remember that on the way home, as I was walking with von Neurath, he was angry about it. On the following day, I traveled back together with Neurath after Frank had already left for Prague. I remember that when I came into the office in Prague, I saw a red placard which said that because of the uprising, the shooting of the leaders and the arrest of students and the closing of universities had been ordered, and that placard had Neurath's signature. Since I didn't know what might have happened in Prague in the meantime, I was utterly surprised, because I had heard nothing about these measures in Berlin, and I suspected some intrigue on Frank's part, and I went to report the matter to Neurath. I had the impression that Neurath was most unpleasantly surprised, just as I was, and that he had known nothing at all about this previously.

Soon afterwards, Frank passed through my room going into Neurath's room, and he had that red placard under his arm. I don't know whether Neurath had sent for him or whether he came on his own initiative.

Q Afterwards, when this unfortunate matter had occured, did Neurath at least work for the release of these students who had been arrested ?

A Yes. He immediately used his influence, but he didn't even succeed in getting hold of the list of names of those who had been arrested. Only after we kept at it, did we receive from the Czech Government an incomplete list of names. In spite of this, von Neurath immediately worked for their release, and he did, in fact, have excellent results in that connection as time went by.

Q Do you know anything about what was done to accommodate or employ those students who, because of this uprising and the closing of the universities which was connected with it, were now more or less unemployed ?

A No, I know nothing about that, and I had nothing to do with that matter.

Q But do you know whether von Neurath repeatedly urged the reopening of universities to Hitler ?

A Yes, I remember that the director of the Czech University Osni, whom I knew well, had asked me on one occasion, something which I reported to von Neurath and von Neurath again made efforts at the time. But as far as I know, as long as we were in Prague, the universities were not reopened.



H0166 -0073

Q Do you remember a Czech Fascist organization Vlajka ?

A Yes, I do, but I know very little about it. I only know that we in the office had a number of addresses sent to us by members of the movement, and I also know that we had been informed by Czech sources that these people were partly criminal and generally not much use. Von Neurath adopted the view quite generally that this was an internal affair of the Czechs and that after all, these were people who wanted to work together with us. But he, on his part, refused any collaboration, and such letters were never answered by us or our office.

Q Von Neurath was also the president of the Secret Cabinet Council when he was Reich Protector. Do you have any knowledge of whether von Neurath, in his capacity as president of the Secret Cabinet Council, was ever active ?

A No. As long as I was in Prague, von Neurath was never



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H0166-0075

active. On the contrary, on one occasion he told me that Hitler, when he appointed him, had told him that he shouldn't kid himself that he would ever call the Cabinet Council.

Q Furthermore, Neurath was a member of the so-called Defense Council. The prjnciple decrees with reference to the Protectorate came from Berline and were signed by the Ministerial Council for the Defense of the Reich, but Neurath never countersigned or co-signed.

Q Von Neurath was an honorary Gruppenbuehrer of the SS and later, honorary Obergruppenfuehrer of the SS. During the time that von Neurath was in Prague, did he ever wear the uniform of that rank?

A He wore his Reich Minister uniform as a matter of principle, but he used to wear civilian clothes a great deal. It may be that on one occasion he wore the black uniform of the SS, on the occasion of a parade of the SS, but I don't know for certain now. Otherwise, he never wore it.

Q Do you know anything about the circumstanes and reasons concerning Neurath's departure from Prague in September 1941?

A When von Neurath was ordered to come to Headquarters that September, he was accompanied by his military adjutant. I met him at the airfield, and in the car he told me that Hitler had been furious because of the acts of sabotage which occurred in his protectorate, and that he wanted to send Heydrich to make an example of the matter.

He, Neurath, had stated that he didn't want to have anything to do with that, and had asked that he desist. Hitler then had decided that he should first of all go on leave, and so he did. He departed the following day.

DR. VON LUEDINGHAUSEN: Mr. President, I have no further questions.

Mr. President, may I make one request at the end of my case. I have not yet been able to submit all documents because the translations haven't yet all reached me. May I reserve myself the

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right to submit the few remaining documents perhaps at the end of the case of my colleague Dr. Fritz?

THE PRESIDENT: You needn't wait for the translation. You can offer the documents in evidence now, put in a list with the numbers.

DR. VON LUEDINGHAUSEN: Mr. President, I haven't got them with me, I'm afraid. Perhaps, if I may, I could do so tomorrow or the day after.

THE PRESIDENT: Yes, certainly.

Do any of the defendants' counsel want to ask any question Does the Prosecution wish to cross examine?

SIR DAVID MAXWELL FYFE: My Lord, the Prosecution do not wish to cross examine on the same basis.

My Lord, may I refer to one collection of documents that are in our Document Book 12-B, the collection of the anti-Jewish decrees in the Protectorate. They are all from the Verordnungsblatt for the Protectorate, and the Prosecution asks the Tribunal to take judicial notice of them as being an official publication. The collection is merely for convenience and access of the Tribunal.

THE PRESIDENT: Then the witness can retire.

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THE PRESIDENT: Then that closes your case for the present, Dr. Luedinghausen.

The Tribunal will now adjourn.

(A recess was taken.)

THE PRESIDENT: I call on counsel for the defendant Fritsch

DR. FRITZ ( Counsel for defendant Fritsche) : Mr. President, I intend to present the case of the defendant Fritsche as follows :

First, I should like to call the defendant Fritsche to the stand and then the witness von Schirmeister. In the course of these two examinations I intend to present to the Tribunal a few affidavits and to refer to these and to the rest of the contents of my two document books and to quote individual passages. I hope that the Tribunal will approve of this procedure.

I consider it, further, necessary to point out the following :

In a court decision of the 8 March, 1946, the following were approved as witnesses for me : first Mr. von Schirmeister, second Dr. Kriegk and as documents the texts of all radio speeches of the defendant Fritsche from the year 1932 to '45. second, the archives of "Deutscher Schnelldienst" of the Propaganda Ministry. From all this evidence, in spite of the efforts of the General Secretary, unfortunately only the witness von Schirmeister can be brought here. Therefore, I had to reformulate my case and ask for the indulgence of the Court to go into somewhat greater detail than originally intended.

With the approval of the Court I shall now call the defendant Fritsche to the witness stand.

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HANS FRITSCHE, a witness, took the stand and testified as follows :

BY THE PRESIDENT :

Q will you state your full name please ?

A Hans Fritsche.

Q Will you repeat this oath after me :

I swear by God, the Almighty and Omnicient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

THE PRESIDENT : You may sit down.

DIRECT EXAMINATION

BY DR. FRITZ :

Q Mr. Fritsche, will you please describe briefly your career up to the year 1933 ?

A I may refer to my affidavit 3469-PS, point [illegible] and state -- In addition I can limit myself --



H0166 - 0077

DR. FRITZ : Mr. President, at the beginning of the examination may I remark that my document books, of which I have two, have not yet been translated. This affidavit, which the defendant has just mentioned is contained in the Prosecution document book. I do not know whether the Tribunal now has this document book.

THE PRESIDENT : Well, you can go on.

A (continuing) I was born on 21 April, 1900. My father was an official. I attended the Humanistiches Gymnasium. Then I was a soldier in the First World War; returned to school and studied at various universities philosophy, history and national economics.

After the First World War my life and my work were determined by the needs of my people. We called this need "Versailles." Enough has been said here as to the Versailles Treaty. I need add nothing to what has already been said.

Q In your journalistic work before 1933 you endeavored to bring out a change in the Versailles Treaty ?

A Yes, of course.

Q Did you seek this change through war ?

A No, I sought it through the means of law, political and economic common sense, which were at that time all on the German side. A certain restoration of the power of the German Reich I would have welcomed because I saw a danger of war in the weakness of the Reich but the means of war to change Versailles did not seem possible to me, not expedient and not desirable. I remained the same later under the Hitler government.

Adolf Hitler gave assurances on just this point, which for me and for millions of other Germans were especially impressive. The first was the assurance -- I myself was a simple soldier and therefore I know what war means. The second was the statement--in all the bloodiest wars of the last thousand years not even the victors won as much as they sacrificed during the wars. These two assurances sounded to German ears like holy and obligating oaths. What Hitler's policy did against these two assurances was a betrayal of the German public.

Q When, how and why did you come to the NSDAP ?

A After my entry into the Propaganda Ministry I joined the Party. I refer again to my affidavit 3469-PS, to points nine to thirteen.



H0166-0078

I joined the NSDAP not through the party program, nor through Hitler's book "Mein Kampf" nor did I join through the personality of Hitler, the suggestive power which has frequently been mentioned, but which I did not feel. I rejected the rough, radicalism of the methods of the party. This radicalism contradicted the practice of my whole life and my personal style. Because of this robust practice I entered into a conflict with the Party in 1932.

I joined the party when it without doubt won over the majority of the people. This party overcame the split in the German people and brought it unity. Mr. Bruening's attempt to bring help to the state on a democratic basis had failed because of foreign political circumstances not because of any resistance within the German people. After the cabinets had not led to a new foundation amongst the people, the appointment of Hitler, as Reich Chancellor, meant a return to democratic principles.

Much has been said here about these matters. I ask for permission to give one circumstance which I know has not yet been mentioned here which does have a certain significance.

When I joined th NSDAP I did not believe I was coming into a party in the true sense of the word for the NSDAP did not have party organizations in the sense of the Marxist party, for example. It had not developed a right theory; all the theoretical matters of the party were debatable. The oretical writings of Gottfried Faber had been prohibited. The theoratician Rosenberg was disputed in the party to the end. The lack of theory in the party was so great that even the printing of the bare party program was forbidden for the German papers. A few years after, in 1939, the German papers were even forbidden to quote arbitrarily any part of Hitler's "Mein Kampf".

At that time, then, I did not believe that I was joining a strictly limited party but I thought I was joining a movement, a movement which united in itself such contrasts as perhaps those of Ley and Funk, Rosenberg and the Reich Bishop; a movement which was Catholic in its chose of methods; which at one time prohibited the labor of women and at one time advocated the labor of women. Therefore, I believed I was joining a movement because within the NSDAP one group saw in the swastika flag nothing but a new combination, a new form of the black, white and red colors while another group saw in this flag the red flag with a swastika. It was so that there were groups of former German



H0166 - 0079

nationalists in the NSDAP or of former communists in the NSDAP. Thus, I hoped that in this most wide flung movement I would find a new form of spiritual discussion which would not be carried out with murderous bitterness, which had previously ruled in Germany but which had a certain discipline and nationalist and social thought.



H0166 – 0080

H0166-0081

For this reason, in constant compromises, I put my own wishes, my own misgivings, my own political attitudes aside, and in many conversations I advised my friends to do so, also, if they complained that they and their interests were badly treated. I came to the conviction that millions of Germans had joined the Party only for this reason and in this expectation. They thought they were serving a good cause.

Out of pure idealism, they were willing to sacrifice everything to this cause, everything except their honor. Meanwhile, I had to realize that the leader of this cause accepted the sacrifice of these idealists, that he used it and that, through senseless, inhuman murder--unique in history--sullied their honor, a murder which not only no necessity of war could have justified, but also one for which one could not even find any reason in any necessity of war.

Q Now, the Prosecution accuses you of having sworn the customary oath of unconditional loyalty to Hitler in 1933. For whatever reason you did this, the fact that you took this oath is true, is it not?

A Yes. I twice swore an oath to the Weimar Constitution in 1933 and 1938.

I may add something. It was always and it still is my conviction that no oath relieves a human being of his general duty to humanity. No one is made an irresponsible tool by an oath. My oath would never have made me carry out an order if I had realized that it was criminal. Never in my life did I obey anyone blindly. For that reason, I do not refer for any of my actions to my duty under this oath.

Q Did you keep the oath which you took?

A Yes. I have not been suspected of any actions which I could have considered criminal or a violation of written or unwritten laws. Moreover, I did not keep the oath which I took to Hitler, but to the German people.

Q How long did you keep the oath?

H0166 - 0082

A I kept it to the end. Then, it is true, against the order which I was given, I remained in Berlin. When Hitler and his entourage fled into death or fled toward the West, I was the only high official to my knowledge to remain in Berlin. I collected the employees of the high Reich agencies who had been left to their fate. I collected them in the ruins of my office. Hitler had left an order to fight on. The Berlin battle commandant could not be found. Thus, as a civilian, I felt obliged to offer the Russian Marshal Zhukov capitulation. When I was sending off the emmissary to go across the battleline, the last adjutant of Hitler appeared--General Burgsdorff--and he wanted to shoot me by way of fulfilling Hitler's order. Nevertheless, the capitulation came about, even though it was signed by the battle commandant, who had been found in the meantime. Thus, I believe I kept my oath, the oath which I had taken to the German people in the person of Hitler.

Q Did you hold an office in the Party?

A No.

Q Were you a political leader?

A No.

Q Were you in the SA or the SS or any one of the other organizations that are accused here?

A No.

Q Did you ever take part in a Party rally?

A No.

Q At any of these celebrations of the 8 November in Munich?

A No.

Q Then, please describe briefly your position and your work from 1933 to 1945.

A Here, again, I may refer to my affidavit 3469-PS and to the rest of the affidavits. Again I may limit myself to a very brief presentation to supplement what is said in the affidavits.

At the seizure of power by National Socialism, I remained what I had been previously, Chief Editor of the Wireless Service.

H0166-0083

That was the name of the German radio news service. I remained that for five more years.

In May 1933 this wireless service, which had been a part of the Reich Radio Company, was incorporated into the Propaganda Ministry in its press section. Since I was a specialist in journalistic news service, I soon was entrusted with the news agencies--first, the smaller ones, such as Transozean or Europa-Press or Eildienst. Later I was entrusted with the big German news service.

At that time, I had no power to issue orders to the agencies, for I was only an employee of the Ministry and not an official. I had no right to determine the contents of the news. I had only the organizational supervision, but I believe that my advice was valuable at the time.

At that time, I also gave other advice of a journalistic nature. In December 1938, I became head of the section, German Press. I became Ministerialdirigent. As an official, I still thought myself the journalist I had been for decades previously. I continued to direct the German Press Section until the spring of 1942.

At that time, I did not approve of the press policy of my superior, Reich Press Chief Dr. Dietrich. For that reason, I became a soldier and went to the Eastern Front.

In the fall of 1942 I was called back by Dr. Goebbels. Dr. Goebbels approved my previous criticism, of which he knew, and he offered to make me head of the Radio Section of his ministry. I answered that I could return to the Propaganda Ministry only if I had the certainty that a political end of the war would be sought and that total military victory would not be sought, which from the first day of the war I had considered impossible. I told Dr. Goebbels at that time that a fight to self- destruction, as the gods fought at Vesuvius, I was not willing to participate in as a propagandist. Dr. Goebbels answred that Hitler and he, also, were seeking a political end to the

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war by reaching some sort of understanding. He promised me that he would inform me in time if he noticed that the Fuehrer was changing his intentions.

At intervals of a few months, up to the end of the war, Dr. Goebbels repeated this promise. Each time that he repeated it, he always gave me substantiated indications about the political efforts in progress at the moment. Today I have the feeling that he broke his promise.

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Then I took over the radio section of the Propaganda Ministry, and I became Ministerial Director.

Q Those were your official positions; they were less known among the public. Better known were your radio speeches. What about them?

A Since 1942 I spoke once a week, for ten to fifteen minutes, on some German station, and on the Deutschland Sender. At the beginning of the war I spoke daily on all the stations, I believe for three or four months. Then I spoke three times a week, then twice a week, and finally once a week again. At first these radio speeches were just reviews of newspaper articles, that is, a collection of quotations from domestic and foreign newspapers. After the beginning of the war, however, these speeches, of course, became polemic on the basis of quotations mostly from foreign papers and foreign radio stations.

Q Did your speeches have an official character? The prosecution says that they were, of course, under the control of the Propaganda Ministry.

A That is not true in that form. The speeches were not official. At the beginning they were decidedly private work. Of course, I could not prevent in the course of time, that the private speeches of a man holding a position in the Propaganda Ministry were no longer considered as private, but semi-official.

Q You say private work, which was later considered semi-official. To clear up this question, I would like to ask this. Could one criticize these speeches, or was one arrested for so doing?

A One was not only allowed to criticize, but one did so. I [illegible] extensive correspondence with my critics, although only with those who signed their names. There were also anonymous critics, of course, but I may add that the anonymous critics only had general complaints.

After the outbreak of the war a Southern German prosecutor offered me certain protection for my speeches, apparently on the assumption that they were semi-official. The suggestion was made that they would appear in any possible trials. I refused this, explaining -- as I publicly explained repeatedly -- that people have to be allowed to criticize something. If it is forbidden to criticize the State and the Government, there must be an allowance, at least, to criticize the press, the radio, and me.

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Q How did you work out these speeches? Were they written out and censored beforehand?

A I always refused to let them be censored beforehand. The material was gathered very carefully. It was kept in the so-called Archib-Schnelldienst which has been applied for and approved by the Tribunal but which could not be found.

The material consisted of clippings from papers, reports of news agencies, and reports from foreign broadcasts. The investigation of doubtful matters was done by my own agents. A rough draft of the speech was then dictated. That was a different procedure than in the case of an article; every sentence was not polished. In a written work, every word counts, but when it is spoken, the total impression is more important.

Q You worked in the Propaganda Ministry; Dr. Goebbels was the Minister. His name has been mentioned here frequently in various positions, as Reich Minister for Propaganda, Reich Propaganda Director of the NSDAP, Reich Deputy for the Total War Effort, and Gauleiter of Berlin. In which of these capacities did you deal with Dr. Goebbels?

A Exclusively in his capacity as Propaganda Minister.

Q Were you his representative?

A No. In the last two and a half years I was his deputy for radio, and was the head of one of twelve sections of his Ministry. Dr. Goebbels' representatives were his state secretaries. The last one was Dr. Naumann, who was his successor for one day.

Q Was Dr. Goebbels your only and direct superior?

A No. Between him and me there were many offices at the beginning, and there were still a few later. This is the first time, here in the dock, that I am without official superiors.

Q. Which of the defendants did you know, or with whom did you have official or personal relations?

A. I had official conversations two or three times, shortly after 1933, with Funk, who was State Secretary in the Propaganda Ministry at that time. Those conversations concerned economic and organizational matters. I discussed with him the financial plans for the reorganization of this new system.

Then, I once had a talk with Grand Admiral Doenitz on a technical matter. I spoke to Seyss-Inquart in The Hague, and to Papen in Istanbul. I knew all the others only at a distance and met them personally only here during the trial.

Q. How about Hitler?

A. I never had a conversation with him. In the course of twelve years, however, I saw him several times at the Reichstag, of course, at big occasions, and at receptions. Once I was at his headquarters and was invited to dinner with a large number of other people. Otherwise, I received instructions from Hitler only through Dr. Dietrich or his representative, or through Dr. Goebbels or his various representatives.

Q. What were your relations with Dr. Goebbels? Were you friendly with him? Did you see him often?

A. One cannot say that we were friends. The relationship was rather reserved, official, and also somewhat distant. I saw him personally less frequently than other fellow workers of Dr. Goebbels of my rank. However, I believe he treated me with more respect than any other of his co-workers. To that extent I held a special position in a sense. I esteemed Dr. Goebbels' intelligence and his ability at least sometimes to change his own opinion when he heard a better argument. I saw him about twice a year during the first five years. When I became head of the section I saw him perhaps once a month. After the outbreak of war I saw him daily in the course of a conference of 30 to 50 fellow workers; and in addition, about once a week I had a conference on special subjects with him.

Q. Now we come to the subject of propaganda. Can you sketch the propaganda system in the Third Reich?



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A. I shall attempt to do so. There were three sorts of propaganda. The first was the unorganized agitation of the radical fanatics in the Party. It was shown in all fields, in the field of religion, racial policy, art, general policy, and the conduct of the war. The head of this unorganized agitation, increasingly, was Bormann.

The second type of propaganda was under the Reich Propaganda Section of the NSDAP. The head of this was Dr. Goebbels. It attempted to bring the agitation of the radicals into some form capable of discussion.

The third type was the state organizations of the Reich Propaganda Ministry.

Q. The prosecution maintained at the beginning that you were head of the Radio Section of the Propaganda Division of the NSDAP. How about that?

A. The prosecution has withdrawn that assertion. They said that they had no proof. It would have been more correct to say that this statement can be proved to be false. I refer to my affidavit 3469-PS, point 37. There I state that in contrast to all of my predecessors, as far as I know, as head of the Radio Division of the Ministry I was not at the same time head of the Radio Section of the Party. Today I expand this statement by saying that I held no office whatever in the Party.

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Q You have been accused of having helped Dr. Goebbels to plunge the world into the blood-bath of aggressive war. Is that true? Did. Dr Goebbels ever speak with you about aggressive plans?

A No; I never heard of any intention to wage aggressive war, either from Dr. Goebbels or from anyone else.

Q Here in the course of the trial, some conferences have been mentioned several times at which it was said that various aggressive plans were discusse for example,before the attack on Czechoslovakia, before the attack on Poland, and on Norway, and on Russia. Did you participate in these conferences? Did you hear of them?

A I did not participate in a single one of these conferences. I heard of them for the first time here in the courtroom.

Q Now, if the plans for an attack were not mentioned to you, was the possibility of war ever mentioned?

A No; but the danger of war was mentioned as early as 1933, the danger of war determined by the one-sided disarmament of one state in the midst of other states which were highly armed. This disproportion between armement and non-armament had to appear as an inducement for attack.

In German propaganda after 1933, this consideration and this statement were one of the main reasons first for the demand for disarmament of the other powers and afterwards for the German demand for equality of armament. That seemed completely logical to me, but never was the danger of war mentioned without at the same time a reference to the German will for peace. That seemed to me honest.

In the summer of 1939, when the danger of war became more and more imminent, I saw Dr. Goebbels more often than ever before. I gave Dr. Goebbels a number of little memoranda, a contribution from my field of work in the news system, as it were. They were an analysis of the public opinionof Western countries, and they repeatedly indicated that England was determined to wage war in case of a conflict about Poland.

I recall that Dr. Goebbels was deeply impressed when I gave him one of these memoranda once. He expressed his concern, and decided immediately to fly to Hitler. He said to me, verbatim: "Believe me, we did not work

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successfully for six years in order to risk everything in a war now."

In the summer of 1939, I knew of some serious gaps in German armament which have been mentioned here in the courtroom in part.

I was convinced of the honesty of the will for peace in Hitler's policy. Documents have been submitted during this trial which indicate that Hitler secretly thought differently or acted differently. I cannot form a judgment, because the documents of the other side have not yet been published. But if it should be as the documents submitted here say, I must state that I was deceived about the aims of German policy.

DR. FRITZ: Mr. President, at the beginning of my case, I said that it was not possible to bring the radio speeches of the defendant Fritsche here. I tried to obtain them from a German radio station, and succeeded in getting a small part from the years 1939 and 1940. I have selected some of these speeches which I should like to submit as Fritsche Exhibit No. 1.

To support what the defendant has just testified to, I should like to quote only one sentence from the radio speech of Fritsche of the 15th of November, 1939:

"The only reason for war, which our people on the whole have never desired, the only reason for war which can be justified morally is the fight for the existence of the people."

And this line, which the defendant Fritsche emphasized at the beginning of the war, he re-asserted during the war as well. As proof of this, I should like to quote another passage from the same document, from a radio speech of Fritsche of the 23rd of July, 1940:

"We Germans in the course of all our history, and especially twenty years ago, experienced enough blood and tears and human suffering to look it honestly in the eye now.

"We know what war meant, and therefore we did not want war. And because the Fuehrer knows it so well, and experienced it, that is why on the 6th of October and the 19th of July he offered peace."

BY DR. FRITZ:

Q Did you in any way, Mr. Fritsche, have anything to do with war preparation from the intellectual or organizational standpoint?

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A Not directly, but perhaps indirectly. I supported the demands for disarmament of the others, and for the equalization of armament; and I advocated the armament of the German people and Wehrhaftmachung. This could be misunderstood and easily misinterpreted. I should like to explain it. It means the ability to fight in one's own defense.

The promise was repeatedly made to the German peopel, often through my mouth, that the restoration of its military sovereignty would be only for defensive purposes.

Q How and where did you represent these facts?

A In the modest sphere of my weekly radio speeches, with remarks from time to time. I was a patriot, but I feel myself t be free from Chauvanism, or exaggerated nationalism. As an historian, I realized at that time already that especially in the narrow confines of Europe the old nationalism was an anachronism, and that it was in contrast to modern weapons. At that time, I believed in Hitler's doctrine. I believe that, in Hitler's doctrine, there were certain elements for a new type of mutual understanding among peoples, particularly the dogman which was repeatedly set up: "Only the nationalism of one people can understand the nationalism of another people."

Only today have I realized ideologically, and, of course, materially, through the development of arms, and so forth, that the time of nationalism is past, if mankind does not want to commit suicide, and that the period of internationalism has come, for good or evil.

At that time, however, nationalism was not considered a crime. Everyone represented it. It can be seen that it is still advocated today, and I also advocated it.

Q Now, theprosecution points out that before every attack, a press campaign was held in Germany, intended to weaken the victim of a planned attack and to prepare the German people psychologically for thenew drive. However, the prosecution states this without reference to you personally. And although the direct charge is not made that you put on these press campaigns, nevertheless the prosecution points out very strongly your connection with this practice.

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What have you to say about your role in this publicity battle?

A First, I can only point out that these propaganda speech drives are described in detail in my affidavit No. 3469 PS, Points 23 to 33. From the Rhineland occupation on, up to the attack on the Soviet Union, these descriptions also contain information about the type and extent of my participation in these drives. In addition, I may emphasize that in this description of my affidavit, there is no reference to the question of right.

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There is no political explanation. I should like to emphasize expressly that in each case, in each drive, I believed I was representing a good cause. It would be going too far to explain that here for each case, especially since many of these cases have already been discussed here. I assume, I hope that the prosecution will ask questions on this subject for I assert that no matter how the facts may have been in the individual cases, at every moment from the Anschluss of Austria on to the attack on Russia, information was given to me and through me to the German public which admitted of no doubt in the legality of the urgent necessity of the German procedure and I, as the only surviving informer of the German public, consider it my duty to be ready here for any investigation of the correctness of this statement of mine, which is of especial importance for the German public.

Q In your affidavit, newspaper headlines are mentioned which are considered typical for the various states of tension of the individual cases. What have you to say to that?

A Without exception, these headlines from the "Voelkischer Beobachter" these headlines were submitted to me and, of course, I had to confirm their correctness but I may emphasize that the "Voelkischer Beobachter" was not typical of the result of my press policy. The "Voelkischer Beobachter" general had its own direct connections with the headquarters and with Hitler. Typical products of my press policy were the papers "Deutsche Allgemeine Zeitung," the "Munchener Neueste Nachrichten", and the "Hamburger Fremden-blatt", to name only a few.

Q The prosecution has the point of view that with your domestic propaganda, you urged war to the extent that you tried to awaken hostile feelings with the German people towards other people of Europe and the world; for example, it is said in Captain Sprecher's speech for the prosecution that agitation against the people of the Soviet Union and an atmosphere of senselessness and hatred were created by you or that you had incited the Germans to blind hatred. Did you do that?

A No, I did not do that. Never did I attempt to awaken hatred against the English, French, Americans, or Russians, and so forth. There is not a single word of this type in perhaps a thousand speeches which I made before the microphone. I did speak strongly against governments, members of govern-

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ments, governmental systems but I never preached general hatred or I did not attempt to awaken it indirectly as was the case -- and I ask your pardon for my taking an example from the courtroom -- at the moment when a film was presented here and the words were spoken "here you see Germans are laughing at Yugoslavs"; never did I try to awaken hatred in this general form and I may point out that for years many anti-National Socialist statements from certain countries, which were neutral at that time, remained unanswered.

Q Did your superiors ask you to give your propaganda the tendency of agitation and the awakening of hatred?

A Yes, that happened frequently but it was not demanded that agitation should be waged against people or hatred should be awakened against people. That was expressly forbidden because we wanted to win people over to our side but again and again I was requested to awaken hatred against individuals and against systems.

Q Who requested you to do this?

A Dr. Goebbels, Dr. Dietrich and often on the direct orders of Adolf Hitler. The reproach was repeatedly made that the German press and the German radio did not awaken any hatred at all against Roosevelt, Churchill or Stalin but there may be three personalities popular as efficient men. For that reason, for years the German press was forbidden to mention these three names at all unless in an individual case permission was obtained with exact instructions.

Q Do you mean to say that you refused the request to change your propaganda to agitation and to the awakening of hatred and did not carry it out?

A I should like to outline exactly what I did. When the reproaches of Dr. Goebbels and Dr. Dietrich piled up, I had all caricatures from the first orsecond world war collected -- from England, the United States of America, France and a few from Russia. In addition, I had all anti-German propaganda pictures which I could lay my hands on collectively. Then, in five to six demonstrations of several hours each, I presented these caricatures and these films to German journalists and German radio speakers. I, myself, spoke only two or three minutes in introduction. It is quite possible that I produced hatred through these showings but the condemnation of this means of

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producing hatred in the midst of war, I should like to submit to the judgment of the Tribunal. In any case, Dr. Goebbels said later that he was dissatisfied and we were "bunglers." I may add one statement. I would have had a means of carrying out my orders of awakening real hatred, that is, not one means but a whole group of methods; that would have been, to give only one example, a German publication of the last two volumes of the Tarzan series, an adventure series which was very popular in Germany at that time -- the last two volumes were strongly anti-Germany. I need not describe them here. I did not use such products of former anti-German propaganda. I always deliberately ignored such methods.

Q If you say that you dispensed with hatred and agitation in your propaganda, what means did you use in your propaganda during the war?

A During the war, I urged propaganda almost exclusively with the concept of necessity and of the fighting with necessity and compulsion. I repeatedly painted the results of defeat very bluntly and systematically I gave quotations from the press and the radio of the enemy countries. The enemy demands for unconditional surrender I quoted repeatedly. I often used the expression "Uberversailles" and I emphasized, I described the results of the loss of the war very pessimistically. I cannot make a comparison with reality today.

Q But could you not learn from the radio talks of the enemy that the fight of the Allies was not against the German people but only against its leaders; did you keep that a secret from the German people?

A On the contrary, I did not keep that secret but I repeatedly quoted that and I called it "incredible." For example, I used the trick of quoting the wording of a medieval declaration of war which had said that only the King of France was being attacked but that one wanted to bring freedom to the French people.

THE PRESIDENT: Would that be a convenient time to break off?

(The Tribunal adjourned until 27 June 1936, at 1000 hours.)